

Washington, Saturday, February 12, 1955

TITLE 6-AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1954 C. C. C. Grain Price Support Bulletin 1, Supp. 2, Amdt. 4, Rye]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1954-CROP RYE LOAN AND PURCHASE AGREEMENT PROGRAM

BASIC COUNTY SUPPORT RATES

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 19 F R. 1810, 3124, 4178, 4399, 5079, 5593, 5594 and 7103, and containing the specific requirements of the 1954-Crop Rye Price Support Program are amended as follows:

Section 421.608 (d) (2) (i) is amended by adding to the list of counties and basic county support rates:

Contra Costa County, California, \$1.63 per bushel.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interprets or applies sec. 5, 62 Stat. 1072 secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. 714c, 7 U. S. C., 1441, 1421)

Issued this 8th day of February 1955.

[SEAL] EARL M. Hughes,

Executive Vice President,

Commodity Credit Corporation.

[F R. Doc. 55-1273; Filed, Feb. 11, 1955; 8:52 a. m.]

TITLE 7-AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 47]

Part 914—Navel Oranges Grown in Arizona and Designated Part of Cali-FORNIA

LIMITATION OF HANDLING

§ 914.347 Navel Orange Regulation 47—(a) Findings. (1) Pursuant to the

marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914; 19 F R. 2941) regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice. engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237. 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on February 10, 1955, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among

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940	handless of seals seals	41 1
941	handlers of such navel oranges; necessary in order to effectuate th	e de-
341	clared policy of the act, to make	this
	section effective during the period h	erein
	specified; and compliance with this	
940	tion will not require any special pre- tion on the part of persons su	para-
941	thereto which cannot be completed	on or
	before the effective date hereof.	
941	(b) Order (1) The quantity of	navel
	oranges grown in Arizona and onated part of California which me	lesig-
	handled during the period beginning	
921	12:01 a. m., P s. t., February 13,	1955,
	and ending at 12:01 a.m., P s. t., F	ebru-
	ary 20, 1955, is hereby fixed as fol	lows:
	(II INSTRICT 184 SOO PORCE	

(ii) District 2: 254,100 boxes;

(iii) District 3: Unlimited movement;

(iv) District 4. Unlimited movement.

(2) Navel oranges handled pursuant to the provisions of this section shall be subject to any size restrictions applicable thereto which have heretofore been issued on the handling of such oranges and which are effective during the period specified herein.

(3) As used in this section, "handled," "boxes," "District 1," "District 2," "District 3," and "District 4" shall have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 11, 1955.

[SEAL] S. R. SMITH,

Director Fruit and Vegetable

Division, Agricultural Marketing Service.

[F R. Doc. 55-1306; Filed, Feb. 11, 1955; 11:29 a. m.]

[Lemon Reg. 576]

PART 953—LEMONS GROWN IN CALIFORNIA
_ AND ARIZONA

LIMITATIONS OF SHIPMENTS

§ 953.683 Lemon Regulation 576—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953: 19 F R. 7175) regulating the handling of lemons grown in the State of Califorma or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the Federal Register (60 Stat. 237. 5 U.S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona. are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the

Lemon Administrative Committee on February 9, 1955, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time. are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary in order to effectuate the declared policy of the act, to make this section effective during the period heremafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) Order (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P s. t., February 13, 1955, and ending at 12:01 a. m., P s. t., February 20, 1955, is hereby fixed as follows:

(i) District 1. 15 carloads;

(ii) District 2: 210 carloads;

(iii) District 3: Unlimited movement.
(2) As used in this section, "handled,"
"carloads," "District 1," "District 2," and
"District 3" shall have the same meaning
as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated. February 10, 1955.

[SEAL] S. R. SMITH,

Director Fruit and Vegetable

Division, Agricultural Marketing Service.

[F R. Doc. 55-1290; Filed, Feb. 11, 1955; 8:52 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 6]

PART 620—SECURITY CONTROL OF AIR TRAFFIC

REDESIGNATION OF ALASKAN DOMESTIC AND COASTAL ADIZ'S AND EXCEPTIONS CONCERNING CERTAIN VFR FLIGHTS ORIGINATING WITHIN ALASKAN DOMESTIC ADIZ

Part 620 is hereby amended for the purpose of redesignating the boundaries of the Alaskan Domestic and Coastal ADIZ's, and to extend the non-applicability of this part to VFR flight, which originate within the Alaskan Domestic ADIZ, and is conducted at 4,000 feet or less above the immediate terrain. Since a military function of the United States is involved compliance with notices, procedures and effective date provisions of section 4 of the Administrative Procedure Act is not required.

1. Section 620.13 is amended as follows:

§ 620.13 Authorized exceptions—(a) Altitudes excepted. * * *

(3) Alaskan Domestic ADIZ. * * *

(i) The flight is confined to altitudes of 4,000 feet or less above the immediate terrain, and

2. Section 620.21 is amended as follows:

§ 620.21 Domestic ADIZ's. * * *

(f) Alaskan (Domestic) ADIZ. The area bounded by a line 69° 50′ N., 141° 00′ W., 60° 18′ N., 141° 00′ W., easterly along the international boundary line to 60° 20′ N., 139° 30′ W., 59° 30′ N., 139° 30′ W., 59° 28′ N., 146° 18′ W., 56° 34′ N., 154° 10′ W., 58° 39′ N., 162° 03′ W., 63° 17′ N., 168° 42′ W., 68° 53′ N., 166° 16′ W., 71° 18′ N., 156° 44′ W., 69° 50′ N., 141° 00′ W (point of beginning)

3. Section 620.22 is amended as follows:

§ 620.22 Coastal ADIZ's. * * * (d) Alaskan (Coastal) ADIZ. The area bounded by a line 73° 00' N., 141 00' W., 69° 50' N., 141 00' W., 71 18' N., 156° 44' W., 68° 53' N., 166° 16' W., 63° 17' N., 168° 42' W., 58° 39' N., 162° 03' W., 56° 34' N., 154° 10' W., 59° 28' N., 146° 18' W., 59° 30' N., 139° 30' W., 57° 00' N., 139° 30' W., 55° 00' N., 153° 00' W., 53° 54' N., 166° 31' W., 61 45' N., 177° 00' W., 65° 00' N., 169° 00' W., 73° 00' N., 169° 00' W., 73° 00' N., 169° 00' W., 65° 00' N., 160° 00' W., 65° 00' N., 16

(Sec. 205, 52 Stat. 984 as amended; 49 U. S. C. 425. Interpret or apply secs. 1201-1204, 64 Stat. 825; 49 U. S. C. 701-704)

This amendment shall become effective April 1, 1955.

[SEAL] F B. LEE, Administrator of Civil Aeronautics.

[F R. Doc. 55-1243; Filed, Feb. 11, 1955; 8:45 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter B—Export Regulations

[7th Gen. Rev. of Export Regs., Amdt. 19]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

STATEMENT OF PAST PARTICIPATION; NON-FERROUS COMMODITIES, INCLUDING ORES, CONCENTRATES, OF UNREFINED PRODUCTS

1. Part 373 is amended by adding thereto a new § 373.4 to read as follows:

§ 373.4 Statement of past participation—(a) Statement of past participation—(1) General. (i) The use of the Statement of Past Participation in Exports aids in accomplishing one of the underlying considerations in licensing, namely, the maintenance of a normal pattern of export trade during periods of short supply. Under this method of license issuance, the bulk of export quotas is reserved for those firms who have participated in exports during a representative base period. However, licensing on the historical basis does not

preclude participation by exporters who do not have a record of past participation in exports during the base period since a certain portion of the quota is also reserved for those exporters within this category. Where necessary a portion of the quota will also be set aside for especially urgent needs, such as military or defense-supported requirements.

(ii) This section sets forth the general provisions for submission by exporters of a Statement of Past Participation in Exports when required by the

export regulations.

(2) Requirement to file. Applicants for licenses to export any commodities subject to the provisions of this section are required to submit to the Bureau of Foreign Commerce a Statement of Past Participation in Exports of that commodity on Form IT- or FC-821, excluding exports specified in subparagraph (5) of this paragraph. Such commodities are set forth specifically in the special provisions applicable to each particular commodity group in which these commodities are classified. This information shall be filed only once by an applicant, unless there is a change in the name of the reporting firm or in its relation with other firms. At the time of such change, a new Form IT- or FC-821 shall be submitted which refers to the original form and contains the new information. In order to be considered in relation to a specific quota, the completed Form IT- or FC-821 must be received in the Bureau of Foreign Commerce prior to the termination date for filing applications under that quota. The submission of this information does not guarantee that the applicant will receive a license for the full amount or any portion of the commodities covered by his license application.

Note: Contrary to the instructions of Form IT- or FC-821, this form need be submitted in original only.

- (3) Restrictive quota participation A single firm shall be entitled to only one participation in each quota established for each category of commodities subject to the provisions of this section. The filing of dual applications or the claiming of an additional participation through any device whatsoever may result in the denial of export licensing privileges to all persons concerned.
- (4) Form IT- or FC-821. The following information, in addition to other information specified on the form, shall be submitted on Form IT- or FC-821.
- (i) On separate Forms IT— or FC-821 for each category of commodities, the total quantity of exports, excluding shipments covered by subparagraph (5) of this paragraph, from the United States to all foreign countries other than Canada shipped in the exporter's name, i. e., for his own account, during the base period specified for each such category of commodities, as set forth in the special provisions for the commodity groups in which such commodities are classified (§§ 373.11 to 373.64)
- (ii) The names of each exporter, dealer, manufacturer, or other business organization (whether an individual, partnership, association, corporation, or

other type of business organization) engaged in the export of the particular commodity being reported which is directly or indirectly owned or controlled by the applicant or which directly or indirectly owns or controls the applicant's operations. The date (month and year) when each such firm or organization was established and its relationship to the applicant's operation shall also be included.

- (5) Exports excluded from report. Unless specifically requested, exportation of any commodity subject to the provisions of this section under conditions indicated subdivisions (i) to (v) of this subparagraph shall not be included in this report.
- (i) Shipments to territories, dependencies and other possessions of the United States and Trust Territory of the Pacific Islands, i. e., the Caroline Islands, the Marshall Islands, and the Marianas Islands.
 - (ii) Toll shipments.
 - (iii) In-transit shipments.
 - (iv) Shipments under project licenses.
 - (v) Shipments to Canada.
- (6) Successors in interest. A successor firm which has acquired the business interest of a predecessor may include its predecessor's record of past participation in exports for the purpose of establishing the successor firm's position as an historical exporter, provided that the predecessor is not entitled to claim the same past participation in exports. Such successor firm may submit Form IT- or FC-821 for consideration by the Bureau of Foreign Commerce and set forth thereon, or on an attached statement, a full explanation of the association between the entities concerned and including the following signed state-

The terms of acquisition of the business interests of (name of predecessor firm) by (name of successor firm) precludes the predecessor firm from claiming past participation in exports for the purpose of obtaining export licenses under the historical pattern of export licensing.

Note: In the absence of a report on Form IT- or FC-821, BFC will assume that the applicant's total exports for each commodity were less in each of the specified calendar years than the established minimum amount (as shown in the special provisions for the commodities subject to this section) for submission of Form IT- or FC-821, and his application for an export license will be considered under a portion of the export quota reserved for exporters in this category.

- (b) Commodities requiring statement of past participation. The commodities subject to the provisions of this section are specifically set forth in the special provisions applicable to the particular commodity groups in which these commodities are classified. The special provisions for each such commodity group also set forth any modification of the provisions of this section with respect to the commodities within that group.
- 2. Section 373.41 Nonferrous commodities, including ores, concentrates, or unrefined products is amended in the following particulars:

Paragraph (g) Refined copper copper scrap and copper-base alloy scrap is amended to read as follows:

- (g) Refined copper copper scrap and copper-base alloy scrap—(1) General. License applications to export refined copper in cathodes, billets, ingots, wire bars and other crude forms (including anodes but excluding copperweld rods) Schedule B No. 641200 (hereinafter referred to as refined copper) copper scrap (new and old) Schedule B No. 641300; and copper-base alloy scrap (new and old) Schedule B No. 644000, will be considered for approval in accordance with the procedures described below.
- (2) Refined copper Schedule B No. 641200. License applications to export refined copper in cathodes, billets, ingots, wire bars and other crude forms (including anodes) made from domestic origin materials will generally be denied. License applications covering the exportation of these refined copper materials made from foreign or commingled domestic and foreign origin materials shall include the following:
- (i) Certification of foreign origin or commingled origin—(a) Applications from non-producers of refined copper Applications from non-producers covering refined copper from foreign or commingled domestic and foreign materials shall be accompanied by a letter, addressed to the Bureau of Foreign Commerce, from the producer of the refined copper to the effect that (1) the refined copper proposed for export is refined from foreign origin copper or (2) that an equivalent amount of foreign origin materials has been smelted and refined to replace in the domestic market the amount of domestic copper contained in the commingled copper proposed for export.
- (b) Applications from producers of refined copper Applications from producers of refined copper produced from foreign or commingled (foreign and domestic) materials shall include the following certification:
- (I) (we) certify that I (we) am (are) the producer(s) of the refined copper covered by this license application and (1) (that this refined copper was produced from foreign origin materials) or (2) (an equivalent amount of foreign materials has been smelted and refined to replace in the domestic market the amount of domestic copper contained in the commingled copper proposed for export).
- (ii) Availability for export. One of the following certifications shall appear on each license application.
- (a) Where materials are in possession of applicant:
- (I) (we) certify that the copper materials described in this license application are in (my) (our) possession and will be available for export not later than ______

(Date shown must be within 30 days from the date of submission of license application)

or

- (b) Where materials are not in possession of applicant:
- (I) (we) certify that the copper materials described in this license application are not presently in (my) (our) possession but they will be supplied to (me) (us) for export within thirty days from the date of sub-

mission of this application by

(Name and address of supplier)

who has committed sale of these materials to (me) (us) for delivery not later than_____

(Date shown must be the date indicated in supplier's contract)

In the event the delivery date specified in the supplier's contract covers a period in excess of thirty days, applicants are required to submit applications for only that quantity which will be made available for export within thirty days from the date the application is submitted. All documents evidencing commitment of sale must be kept available for inspection, upon demand, by the Bureau of Foreign Commerce for three years from the date of receipt of the application, as shown on the Acknowledgment Card, Form IT- or FC-116.

(iii) Disclosure of foreign consumer The foreign consumer shall be identified on the license application by the use of one of the following applicable statements: "The foreign consumer of the commodities covered by this application is the same as that shown in item 7 on this license application" or if the foreign consumer is not the same as that shown in item 7 "The name and address of the foreign consumer is

- (iv) Toll or conversion agreements. Applications covering the export of refined copper produced in the United States under toll or conversion agreements from materials received from foreign sources are not required to include any of the above provisions. Where the license application covers refined copper produced from toll or conversion agreements, the applicant shall make the following certification on the license application.
- (I) (we) certify that the refined copper described in this license application was produced in the United States under toll or conversion contracts from materials received from foreign sources.
- (3) Copper scrap and copper-base alloy scrap. (i) License applications to export copper scrap (new and old) Schedule B No. 641300, and copper-base alloy scrap (new and old) Schedule B No. 644000, shall identify the foreign consumer by use of one of the applicable statements shown in subparagraph (2) (iii) of this paragraph and shall include the applicable certification of availability for export shown in subparagraph (2) (ii) of this paragraph. In addition, in order that the BFC may provide an equitable basis for distributing available export quotas for these materials applicants are required to submit to the BFC a Statement of Past Participation in Exports of these commodities on Form ITor FC-821 in accordance with the procedure set forth in § 373.4. A separate report on Form IT- or FC-821 shall be filed for each Schedule B number and broken down by countries of destination and shall cover the quantity in Schedule B units of exports from the United States made during the fourth calendar quarter of 1953 and the calendar year 1954, where the total for such exports to all countries for each Schedule B No. was \$5,000 or

over for the five quarters. In preparing Form IT— or FC-821 the heading above items (c) and (d) shall be changed to read "4th quarter 1953" and the heading above items (e) and (f) shall read "calendar year 1954"

(ii) In order that license applications for the exportation of these copper scrap materials may be considered against the available export quotas established for February-March 1955, Form IT— or FC—821 must be submitted to the BFC not later than February 28, 1955.

(iii) Lucense applications covering copper-base alloy scrap (new and old) Schedule B No. 644000, shall include the copper content of the scrap.

- (4) Validity period. Licenses to export all materials covered by this paragraph, except licenses for refined copper produced under toll or conversion agreements, will be issued for a validity period ending on the last day of the third month following the month during which the license is validated, e. g., a license issued on February 25, 1955, would expire May 30, 1955.
- (5) Amendments to export licenses. Except for export licenses issued under toll or conversion agreements, no amendments requesting an extension of the validity period of the license will be granted for export licenses issued under this procedure.
- (6) Shipper's export declaration. An additional copy of the shipper's export declaration shall be presented to the Collector of Customs in connection with each shipment of refined copper, copper scrap and copper-base alloy scrap (see § 379.1 (c) (1) of this chapter) Each additional copy shall bear the following notation in the upper right hand corner "BFC-1225"

This amendment shall become effective as of February 10, 1955.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F R. 59, 3 CFR 1948 Supp.)

LORING K. MACY,
Director
Bureau of Foreign Commerce.

[F R. Doc. 55-1285; Filed, Feb. 11, 1955; 8:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter F-Personnel

PART 577—MEDICAL AND DENTAL ATTENDANCE

PERSONS ELIGIBLE TO RECEIVE MEDICAL CARE
AT ARMY MEDICAL TREATMENT FACILITIES;
RATE OF CHARGE

Sections 577.15 and 577.16 are revised, and §§ 577.17 and 577.18 are revoked, as follows:

§ 577.15 Persons eligible to receive medical care at Army medical treatment facilities—(a) General—(1) Purpose. This section establishes the policy governing the authorization for medical and dental care of certain categories of personnel at Army medical treatment facili-

ties and prescribes the extent of treatment authorized thereat.

- (2) Applicability. This section is applicable to all commands of the Army Establishment.
- (b) *Definitions*. For the purpose of this section the following definitions apply:
- (1) Armed Forces of the United States. The term "Armed Forces of the United States," unless otherwise qualified, will be interpreted to mean the Army Navy Air Force, and Marine Corps including all regular and reserve components thereof.
- (2) Dependents of extended active duty and retired armed forces personnel. Includes wives, or dependent husbands, and dependent children and other dependent members of their families (when such other dependents are in fact dependent upon a member of the armed forces on extended active duty or retired for more than half of their support)
- (3) Elective treatment. Will be interpreted to mean such treatment which, in the opinion of competent medical authority, is not necessary to save life or preserve health, but is only advantageous to the patient. (Dental procedures will be considered elective treatment only when required primarily for cosmetic reasons.)
- (4) Extended active duty (EAD) Duty performed by personnel of a regular component of the Armed Forces, personnel of the reserve components of the Armed Forces, and retired personnel of the regular and reserve components who are ordered to active duty for an indefinite period or for a period of 91 or more consecutive days under competent Federal orders. (This definition is to be distinguished from the meaning accorded the phrase "extended military service in excess of 30 days" which appears in the act June 20, 1949 (63 Stat. 201).)
- (5) Reserve components. Includes the National Guard of the United States, the Army Reserve and the Air Force Reserve, the Army of the United States and the Air Force of the United States without specification as to component thereof, the Naval Reserve, the Marine Corps Reserve, and the Air National Guard of the United States.
- (6) Dental care. As used in these regulations medical care will include dental care unless otherwise specified.
- (c) Authorization. Authorization for medical and dental care at Army medical treatment facilities is under the jurisdiction of the commanding officer of the medical or separate dental treatment facility concerned. Persons requesting treatment will be required to furnish positive identification satisfactory to the commanding officer concerning their eligibility for medical care.
- (d) General restrictions—(1) General. Medical or dental care and related adjuncts thereto furnished nonmilitary personnel will not exceed under any circumstances the care furnished military personnel of the Armed Forces on extended active duty
- (2) Availability of facilities. Non-military personnel including dependents and retired personnel should not under-

take travel to an Army medical treatment facility without first ascertaining whether and when accommodations will be available. The furnishing of medical care to other than personnel listed in paragraph (e) (1) and (9) of this section will be on a "when adequate facilities are available" basis, except as follows:

(1) Personnel listed in paragraph (e) (4) of this section will be furnished medical care when adequate facilities are available only in the absence of adequate Air Force medical facilities.

(2) Personnel listed in paragraph (e) (24) (ii) and (25) of this section will be furnished medical care when adequate facilities are available only in the absence of adequate civilian medical facilities as determined by the appropriate major commander.

(3) Dental care. Dental care for personnel listed in paragraph (e) (12) (14) (19) and (20) (i) (f) of this section will be limited to emergency dental treatment for the relief of pain or acute septic conditions, or for dental conditions associated with serious illness requiring hospitalization. Such dental care will not include the provision of prosthetic dental appliances or permanent resto-

(4) Domiciliary type care. Admission of persons requiring merely domiciliary type care by reason of age or chronic invalidism is not authorized except for personnel listed in paragraph (e) (1) and (9) of this section.

(5) Elective treatment. Elective treatment is not authorized except for personnel listed in paragraph (e) (1)

of this section.

- (e) Persons eligible—(1) Personnel on extended active duty. Personnel of the Armed Forces of the United States on extended active duty male or female, including officers, warrant officers, enlisted personnel, prisoners, aviation cadets, professors and cadets of the United States Military Academy cadets of the United States Air Force Academy. and midshipmen of the United States Naval Academy.
- (2) Reserve components on other than extended active duty and National Guard—(i) Army and Air Force Reserve. Members of the Army Reserve and the Air Force Reserve within the provisions of the act June 15, 1936 (49 Stat. 1507) as amended (10 U.S. C. 455a, 455b) and members of the Army Reserve and the Air Force Reserve within the provisions of section 5, act April 3, 1939 (53 Stat. 557 10 U.S. C. 456) as amended by the act June 20, 1949 (63 Stat. 201)
- (ii) Navy and Marine Corps. Navy and Marine Corps reservists while on training duty provided that any personnel of this category will be transferred to a Naval medical treatment facility prior to termination of training duty if there is a possibility that continuation of hospitalization may be necessary subsequent to termination of period of training duty

(iii) National Guard. Officers, warrant officers, and enlisted men of the federally recognized National Guard of the several States, Territories, and the District of Columbia, the National Guard of the United States and the Air National

Guard of the United States under the act July 15, 1939 (53 Stat. 1042) as amended (10 U.S. C. 455e) and section 3, act June 20, 1949, supra.

(iv) Personal injury in line of duty. Prosthetic devices, prosthetic dental appliances, hearing aids, spectacles, orthopedic footwear, and routine dental treatment will be furnished the personnel listed in subdivisions (i) (ii) and (iii) of this subparagraph, for conditions which are the result of personal injury suffered or disease contracted in line of duty Dental care for other conditions will be limited to emergency treatment.

(3) Reserve Officers' Training Corps. Members of the Army and Air Force Reserve Officers' Training Corps. Prosthetic devices, prosthetic dental appliances, and routine dental treatment will be furnished only for conditions which are in line of duty

(4) Civil Air Patrol. Senior members of the Civil Air Patrol who suffer personal injury or incur sickness in line of duty while engaged on active duty assignments within the field of activities of the Civil Air Patrol, and cadet members of the Civil Air Patrol when at encampment at Air Force installations under Department of the Air Force regulations.

(5) Dependents of personnel on extended active duty-(i) General. Dependents of personnel serving outside the continental United States or otherwise separated from their families will not be barred from receiving medical

care for that reason.

(ii) Newborn infants. No charge is made for newborn infant patients while the mother is a patient in the medical treatment facility. In those cases where the mother is discharged from the medical treatment facility and it is necessary for the infant to remain as a patient or where the infant is readmitted as an individual patient, charges will be made at the rates prescribed for the mother in each case.

(iii) Restrictions. (a) Dependents of prisoners whose sentence include a punitive type discharge, suspended or executed, as affirmed by a board of review and, in cases reviewed by it, the Court of Military Appeals; dependents of absentees who have been dropped from the rolls of their organizations as deserters: legally separated or divorced wives; and illegitimate children of members of the Armed Forces unless the children are actually living with and dependent upon a military parent are not eligible for medical care.

(b) Dependents domiciled outside the continental United States may be furnished spectacles when, in the opinion of the commanding officer of the medical treatment facility concerned, return to the United States for medical reasons would otherwise result, provided spectacles are not available through commercial sources.

(6) Dependents of retired personnel. Dependents of personnel retired for length of service, except those retired under Title III, Army and Air Force Vitalization and Retirement Equalization Act of 1948 (point system reservists) (62 Stat. 1084, 10 U. S. C. 1001-1007) and dependents of personnel retired or

granted retirement pay for physical disability including those on the Emergency Officers' Retired List. Dependents of the above retired personnel are eligible to receive medical care irrespective of the election on the part of retired personnel to receive Veterans' Administration benefits or the necessity for the hospitalization of retired personnel at a Veterans' Administration facility.

Widows (7) Widows—(i) General. who have not remarried and the unmarried child or children under 21 years of age of deceased Armed Forces personnel whose death occurred while on extended active duty or while in a retired status, except those personnel retired under Title III, Army and Air Force Vitalization and Retirement Equalization Act of 1948, and those on the Emergency Officers' Retired List without retired pay. Eligibility for medical care of unmarried minor children is effective whether or not a widow survived the deceased military personnel and whether or not a widow remarries.

(ii) Restrictions. Persons related to deceased Armed Forces personnel, other than those referred to above, are not

eligible for medical care.

(8) Members of regular and reserve components retired for length of service. Members of the regular and reserve components retired for length of service. except those retired under title III. Army and Air Force Vitalization and Retirement Equalization Act of 1948.

- (9) Members of regular and reserve components retired for physical disability-(i) Temporary disability retired list (periodic physical examinations) Members of the regular and reserve components placed on the temporary disability retired list under Title IV Career Compensation Act of 1949 (63 Stat. 816: 37 U.S. C. 271 et seq.) who require hospitalization in connection with the conduct of periodic physical examinations required by section 404 of the Career Compensation Act of 1949.
- (ii) Temporary or permanent retirement (less than 20 years of active duty. Members of the regular and reserve components temporarily or permanently retired for physical disability or receiving disability retirement pay with less than 20 years of active duty except those with chronic diseases to include chronic arthritis, malignancy psychiatric or neuropsychiatric disorder, neurological disabilities, poliomyelitis with disability residuals and degenerative disease of the nervous system, severe injuries to the nervous system including quadriplegics, hemiplegics, and paraplegics, tuberculosis, blindness and deafness requiring definitive rehabilitation, and major amputees, whose hospitalization is the responsibility of the Administrator of Veterans' Affairs (see the Career Compensation Act of 1949 (63 Stat. 802) as implemented by Executive Order 10122. 1950, which was amended by Executive Order 10400, 1952)
- (iii) Temporary or permanent retirement (20 years or more of active duty) Members of the regular and reserve components temporarily or permanently retired for physical disability or receiving disability retirement pay with 20 years

or more of active duty, except those with blindness, neuropsychiatric or psychiatric disorders, and tuberculosis whose hospitalization is the responsibility of the Administrator of Veterans' Affairs (see the Career Compensation Act of 1949, as implemented by Executive Order 10400, 1952) Members who require hospitalization for chronic diseases other than those listed above may be admitted provided they are acceptable medically to the commanding officer of the hospital.

(iv) Treatment for other chronic conditions and outpatient care. Retired members listed in subdivisions (ii) and (iii) of this subparagraph are eligible to receive medical care in Army medical treatment facilities for chronic conditions, other than those listed in subdivisions (ii) and (iii) of this subparagraph, and for outpatient care regardless of the nature of the illness for which required.

(v) Emergency Officers' Retired List. Members on the Emergency Officers' Retired List who have been granted retired pay for physical disability. Medical care is not authorized for persons placed on the Emergency Officers' Retired List

without retired pay.

(10) Bureau of Employees' Compensation. Beneficiaries of the Bureau of Employees' Compensation, Department of Labor, to include civilian employees (any nationality) of the Federal Government and civilian employees of the government of the District of Columbia (except those members of the Police and Fire Departments of the District of Columbia who are pensioned or are pensionable under the District of Columbia Appropriations Act, September 1, 1916) who sustain personal injury while in the performance of duty (The term injury includes, in addition to injury by accident, any occupational disease.)

(11) Selective Service. Registrants who suffer illness or injury while acting under orders issued by or under the authority of the Director of Selective Service may be furnished emergency medical

care including hospitalization.

(12) United States Public Service. The following beneficiaries of the United States Public Health Service (hereinafter referred to as Public Health Service) upon presentation of written authorization as indicated in this subparagraph. If a beneficiary is furnished medical care in an emergency without the required written authorization, it is the responsibility of the commanding officer of the Army medical treatment facility to obtain proper written authorization from the medical officer in charge of the nearest Public Health Service medical care facility as soon as possible.

(i) Officers of the Public Health Service, members of the United States Coast Guard and members of the United States Coast and Geodetic Survey. Active commissioned officers of the Public Health Service; active officers, commissioned warrant officers, warrant officers, cadets and enlisted personnel of the United States Coast Guard including those on shore and detached duty (except in time of war when the Coast Guard is part of the Navy) and active commissioned

officers, ships' officers, and members of crews of vessels of the United States Coast and Geodetic Survey including those on shore and detached duty.

(a) Authorization for inpatient care in continental United States, its Territories, and its possessions. Authorization for the beneficiaries listed in this subdivision will be prepared on Form PHS 894 (HD) signed by the officer in charge of a Public Health Service medical care facility If the emergency is such that it is not possible to procure this authorization on Form PHS 894 (HD) authorization may be by letter signed by an officer of the same service as the patient; or, if no officer is available, by letter signed by the patient himself. Such authorizing letter, whether signed by an officer or by the patient, will show the patient's full name, organization, serial number, grade, and diagnosis (if known) and will state that he is on active duty. It will state also the reason for medical care by Army medical treatment facilities (instead of public Health Service facilities)

- (b) Authorization for emergency outpatient care in continental United States. its Territories and its possessions. The beneficiaries listed in this subdivision may be furnished outpatient care only in an emergency when immediate care is necessary. Authorization for such emergency outpatient care will be as indicated in that part of (a) of this subdivision, which pertains to emergencies.
- (c) Authorization for medical care (inpatient and outpatient) in oversea areas (other than Territories and possessions of the United States) In such oversea areas, the beneficiaries listed in this subdivision will be furnished medical care on written authorization prepared and signed as indicated in (a) of this subdivision.
- (ii) American seamen. American seamen in the continental United States. its Territories and its possessions, to include seamen aboard privately owned and operated vessels of United States registry and also vessels owned and operated by the United States Government: active enrollees in the United States Maritime Service; and members of the Merchant Marine Cadet Corps.
- (a) Authorization for inpatient care in continental United States, its Territories and its possessions. Authorization for the beneficiaries listed in this subdivision will be prepared on Form PHS 894 (HD) and signed by the officer in charge of a Public Health Service medical care facility. When, in case of genuine emergency, it is necessary to admit a patient prior to obtaining written authorization, the commanding officer of the Army medical treatment facility will telephone or telegraph the nearest Public Health Service Station as soon as possible, giving all available information respecting the patient's status as a Public Health Service beneficiary, in order that the case may be investigated with a view to issuance of the required Form PHS 894 (HD) or with regard to Maritime Service enrollees, if more practicable, obtain written authorization from the responsible officer of the Maritime Service station,

Merchant Marine Cadet Corps school, or State Maritime Academy.

(b) Authorization for emergency outpatient care in continental United States, its Territories and its possessions. The beneficiaries listed in this subdivision may be furnished outpatient care only in emergency when immediate treatment is necessary. The commanding officer of the Army medical treatment facility will take the action indicated in (a) of this subdivision, with a view to procuring authorization.

(c) Authorization for medical care (inpatient and outpatient) in oversea areas (other than Territories and possessions of the United States) In such oversea areas, the personnel listed in this subdivision, are not entitled to treatment at the expense of Public

Health Service funds.

(iii) Public Health Service civilian employees in the field service. Public Health Service civilian employees in the field service when injured or taken sick in line of duty (except when entitled to treatment at the expense of the Bureau of Employees Compensation)

(a) Authorization for inpatient and emergency outpatient care in continental United States, its Territories and its possessions. Authorization for medical care will be as indicated in subdivision. (ii) (a) and (b) of this subparagraph.

- (b) Authorization for medical care (inpatient and outpatient) in oversea areas (other than Territories and possessions of the United States) Any necessary medical care may be furnished at the expense of Public Health Service funds on written authorization of the employee's superior officer. The authorization will show the patient's full name, organization, grade, and diagnosis (if known) and will give other identifying data (such as "civilian employee, field service. PHS") It will also state that the employee is on active duty.
- (iv) Dental care. In addition to the dental care provided under the conditions outlined in paragraph (d) (3) of this section, in oversea areas (other than United States possessions) such complete dental service is authorized as the Army dental officer considers necessary pending the time of the patient's return to the continental United States or to a United States possession.
- (13) United States Soldiers' Home-(i) General. Members of the United States Soldiers' Home within the continental United States.
- (ii) Dental treatment. Only such dental treatment as may be necessary in emergency while the patient is undergoing hospitalization is authorized; no outpatient dental treatment will be provided.
- (14) Bureau of Indian Affairs. Beneficiaries of the Bureau of Indian Affairs to include enrolled Indians (or members of Indian tribes) in the continental United States, and Indians, Eskimos, and Aleuts in Alaska.
- (15) Applicants for enlistment and registrants. Applicants for enlistment and registrants while under military control.
- (16) Prisoners—(i) Prisoners of war and internees. Prisoners of war, per-

sons interned by the Army, and other persons in military custody or confinement. Prosthetic devices, prosthetic dental appliances, and spectacles will be furnished prisoners of war as required by the Geneva Convention of 1929.

(ii) Prisoners (punitive discharge executed) Prisoners of Army and Air Force (punitive discharge executed) may be hospitalized beyond expiration date of sentence until disposition can be made to some other medical facility

(17) Female personnel of the Armed Forces (separated)—(i) General. Female personnel of the Armed Forces separated under honorable conditions because of pregnancy, or who, although separated under honorable conditions for reasons other than pregnancy are shown by the record of terminal physical examination to have been pregnant at the time of separation. The extent of maternity care includes prenatal care, hospitalization, confinement, and postnatal care for 6 weeks.

(ii) Newborn infants. Newborn infants of female personnel referred to in subdivision (i) of this subparagraph, may be furnished medical care under the same conditions as for newborn infants of personnel referred to in subparagraph (5) (i) of this paragraph. If newborn patients require medical care subsequent to the postnatal 6-weeks period during which time care is being furnished the mother, disposition will be made to private, welfare, State, or Federal agencies.

(18) Individuals requiring medical evaluation. Individuals who require medical evaluation in connection with consideration of their case by the Army Board for Correction of Military Records.

(19) Seamen. The seamen listed in subdivision (i) of this subparagraph, are still in the service of a vessel, although not on board and not engaged in their duties, as long as they are under the power and jurisdiction of competent Department of the Army or Military Sea Transportation Service (MSTS) authorities. Cases of traumatic injury or occupational disease incurred in the course of employment should be treated as Bureau of Employees' Compensation On-the-job beneficiaries. emergency medical, surgical, and dental service may be provided under the Federal Civilian Employees' Health Service program. In the case of civilian seamen in the service of vessels operated by MSTS, the outpatient rate will be collected locally from MSTS by the medical treatment facility concerned.

(i) Civilian seamen in the service of vessels operated by the Department of the Army and the Military Sea Transportation Service. Civilian seamen in the service of vessels operated by the Department of the Army and MSTS on presentation of a certificate from the master or other appropriate administrative authority, which may be dispensed with only in emergencies, for a reasonable time and except for injuries or diseases resulting from their own misconduct: Provided, That, except in emergencies, those entitled to care by the Public Health Service will be admitted only when facilities of that service are

not available. Civilian seamen in the service of vessels operated by MSTS may be furnished medical care under these conditions, provided further that United States Navy facilities are not available.

(ii) American seamen. American seamen to include both officers and members of the crew outside the continental United States, its Territories and its possessions. This category includes seamen aboard ships of United States registry such as those aboard Department of Defense time-chartered vessels of commercial operators, in emergency to save life or prevent undue suffering, those aboard time-chartered vessels other than those refered to above, and those on privately owned and operated vessels. A seaman, whose condition would require retention in an Army medical treatment facility for a prolonged period of time, and when lack of transportation facilities prevents evacuation through the local ship's agent, may be evacuated through Army medical evacuation channels as soon as transfer without detriment to the patient is possible. No seaman in the service of a vessel of foreign registry will be evacuated to the continental United States.

(20) Nationals of foreign governments. (i) Nationals of foreign governments within the continental United States to include the following:

(a) Foreign military personnel in the attache system carried on the current "Diplomatic List" (Blue) and those carried and designated as military personnel on the "List of Employees of Diplomatic Missions not printed in the Diplomatic List" (White) published by the State Department.

(b) Foreign military personnel assigned or attached to United States military units for duty or training foreign military personnel on foreign government military or supply missions accredited to and recognized by one of the military departments.

(c) Foreign military personnel on duty in the United States at the invitation of the Secretary of Defense or one of the military departments.

(d) Foreign military personnel accredited to joint United States defense boards or commissions, or assigned to full-time duty with the North Atlantic Treaty Organization when stationed in the United States.

(e) Mutual Defense Assistance Program (MDAP) trainees (military or civilian) assigned or attached to United States military units within the continental United States for training.

(f) Dependents of personnel listed above when they are residing with their principals, except dependents of MDAP trainees (civilian)

(g) Foreign personnel covered in agreements entered into by the Secretary of Defense or one of the military departments to include but not limited to United Nations Force personnel of foreign governments.

(h) Other foreign personnel under exceptional circumstances.

(ii) The following policies will govern the furnishing of medical care to nationals of foreign governments (hereinafter referred to as foreign personnel) (a) Inpatient care will be limited to cases which, in the judgment of the commanding officer of the medical treatment facility concerned, will be benefited by hospitalization for a reasonable time but not in excess of 90 days. Those patients requiring merely domiciliary care or suffering from chronic conditions (e. g., tuberculosis, mental diseases, degenerative neurological diseases) will be admitted only in case of extreme necessity, where such admissions will save life or prevent undue suffering.

(b) MDAP trainees who have been selected by their country for training in the United States are presumed to be in good physical condition and free from communicable diseases as a prerequisite to selection. If upon arrival in the United States, it is discovered that the trainee cannot qualify for training by reason of physical and/or mental disability and will require more than nominal medical treatment before entering training, the trainee will be returned to his country immediately or as soon thereafter as his condition permits travel. When the trainee is disabled after starting his training, and, in the opinion of the commanding officer of the medical treatment facility concerned in consultation with the commanding officer of the training facility concerned, such disability will prevent continuation of the training for a period in excess of 90 days, the trainee will be returned to his home country as soon as his condition permits travel.

(c). Foreign military personnel and MDAP trainees may be furnished spectacles within the continental United States when, in the opinion of the commanding officer of the medical treatment facility concerned, they are required to enable the patient to adequately perform his assigned duties, provided spectacles are not available through commercial sources.

(d) The extent of medical care to be furnished foreign personnel covered in agreements entered into by the Secretary of Defense or one of the military departments will be in accordance with that authorized in the specific agreement. Any question concerning extent of medical care authorized or concerning eligibility of any foreign personnel for medical care under specific agreement with another government will be referred to The Surgeon General, Department of the Army Washington 25, D. C.

(e) When foreign personnel have been admitted to an Army medical treatment facility in the continental United States, and it develops that hospitalization must be prolonged beyond a reasonable length of time (in any event when in excess of 90 days) a written report giving full identification, diagnosis, prognosis, and probable date the patient can be released will be submitted to The Surgeon General, Department of the Army Washington 25, D. C.

(f) The transfer of foreign personnel between oversea commands and the continental United States solely for the purpose of providing medical care in Army medical treatment facilities is not authorized, except under unusual circumstances as determined by the Secretary of the Army.

(g) Oversea commanders will determine those categories of foreign personnel who may be authorized medical care outside the continental United States. Medical care will be extended only when adequate facilities are available and when medical care cannot be obtained by foreign personnel from medical units of their own country Type and method of reimbursement will be effected in the same manner as prescribed for the continental United States.

(21) Red Cross and other welfare workers. Red Cross and other officially recognized welfare workers on duty at Armed Forces installations; dependents of such persons, if actually residing with the principal, may be furnished medical care outside the continental United

States.

(22) Operations analysts, scientific consultants, and technical observers. Operations analysts, scientific consultants, and technical observers officially accredited as such by the Department of the Army when accompanying the Army in the field outside the continental United States. For conditions under which spectacles are provided, see subparagraph (5) (iii) (b) of this paragraph.

(23) Employees of commercial aurlines. Employees of commercial airlines under contract to the Military Air Transport Service. Medical care may be furnished only outside the continental United States to those employees who are citizens of the United States.

(24) Civilian employees—(1) Civilian employees of the Army (beneficiaries of the Army Federal Civilian Employees' Health Service Program) Civilian employees of the Army paid from appropriated funds may receive on-the-job emergency medical, surgical, and dental treatment including preemployment and periodic physical examinations inside and outside the continetal United States without charge under the Army Federal Civilian Employees' Health Service Program except as provided in subdivision (v) of this subparagraph.

(ii) Civilian employees of the Army, Navy, Air Force, and Office of Secretary of Defense (not beneficiaries of the Bureau of Employees' Compensation) Civilian employees of the Army, Navy, Air Force, and Office of Secretary of Defense paid from either appropriated or nonappropriated funds, and their dependents (including librarians and service club personnel) outside the continental United States and at remote military installations in the continental

care will be at the reciprocal rate for the applicable fiscal year, except that in those oversea areas and remote areas within the continental United States designated by the Department of the Army where imposition of this rate is

United States. Charges for inpatient

deemed to impair the accomplishment of the military mission, the special interim per diem rate will be charged.

(iii) Civilian employees of cost-plusa-fixed-fee contractors of the Department of the Army. Medical care may be furnished only outside the continental United States to civilian employees of

cost-plus-a-fixed-fee contractors of the Department of the Army.

(iv) Civilian employee of all federal agencies. Physical examinations in connection with disability retirement may be furnished civilian employees of all federal agencies without charge when such examinations are requested by authorized representatives of the United States Civil Service Commission in the administration of the Civil Service Retirement Act, except as provided in subdivision (v) of this subparagraph.

(v) Conditions governing furnishing of certain physical examinations. The preemployment, periodic physical examinations, and the physical examinations in connection with disability retirement referred to in subdivisions (1) and (iv) of this subparagraph, respectively will normally be furnished on an outpatient basis. When hospitalization is necessary to the proper conduct of these examinations, subsistence charges will be collected locally from the individual concerned.

(25) Persons who contribute to accomplishment of oversea commander's mission. Examples of categories of personnel peculiar to an oversea command who contribute to the accomplishment of the oversea commander's mission are as follows: Accredited representatives of United States commercial organizations who are United States citizens, to include news correspondents, representatives of commercial airlines, oil companies, etc., members of recognized religous missions who are United States citizens; entertainment personnel on tour in oversea commands; athletic consultants and civilian actress technicians.

(26) Designees of the Secretary of the Army. Designees of the Secretary of the Army, when furnished medical care in Army medical treatment facilities, will be charged the reciprocal rate or the outpatient rate, whichever is applicable, unless specifically otherwise authorized by the Secretary of the Army. In the event the Secretary of the Army authorizes the furnishing of hospitalization with no reimbursement therefor, a charge for subsistence will be made to the individual.

(27) Indigent and non-indigent civilians. Indigent and non-indigent civilians in extreme necessity to save life or prevent undue suffering.

(28) Nonmilitary personnel en route to and from overseas. Certain nonmilitary personnel en route to or from overseas under terms and conditions prescribed in pertinent special regulations.

§ 577.16 Rate of charge. Charges will be at rates for the applicable fiscal year as prescribed in current Department of the Army regulations.

§ 577.17 Patients efforts. [Revoked.] § 577.18 Rate of charge. [Revoked.] [AR 40-108, January 13, 1955] (R. S. 161; 5 U. S. C. 22)

[SEAL] JOHN A. KLEIN,

Major General, U. S. Army,

The Adjutant General.

[F R. Doc. 55-1242; Filed, Feb. 11, 1955; 8:45 a. m.]

Chapter VII—Department of the Air Force

Subchapter F—Reserve Forces

PART 861-OFFICERS' RESERVE

Subchapter G-Personnel

PART 878-DECORATIONS AND AWARDS

PART 887—APPOINTMENT OF MEDICAL AND DENTAL OFFICERS IN THE REGULAR AIR FORCE

MISCELLANEOUS AMENDMENTS

1. Paragraph (b) of § 861.1107 is changed as follows:

§ 861.1107 Maximum number of paid training periods or unit training assemblies. * * *

(b) Training Category B-1. A maximum of four training periods or unit training assemblies may be authorized for pay purposes in any one academic month for personnel assigned to program elements in Training Category B-1 in which 24 paid drills each year are authorized. A maximum of 16 training periods or unit training assemblies may be authorized for pay purposes in either half of an academic year (September through January or February through June)

2. The introductory text of § 861.1111 is revised to read as follows:

§ 861.1111 Authorized equivalent duties. Equivalent duty for pay purposes will be authorized only for those persons who do not attend the scheduled unit training assembly of the unit to which assigned for reasons considered by the unit commander to be sufficient (see § 861.1102 (f)) Reservists are not authorized to perform equivalent duties in place of unit training assemblies scheduled during periods when the persons concerned are on active duty for training. The following duties may be authorized as equivalent duties:

(Sec. 251, 66 Stat. 495; 50 U. S. C. 1002. Interpret or apply secs. 101-259, 601-603, 66 Stat. 481-498; 50 U. S. C. 901-1010, 1091-1093.) (AFR 45-10A)

3. A new paragraph (e) is added to § 878.45 as follows:

§ 878.45 Good Conduct Medal. • • • • (e) Service in Navy, Marine Corps, or Coast Guard. Service performed in the United States Navy Marine Corps, or Coast Guard may not be credited for award of the Good Conduct Medal under § 878.41 to 878.73.

(E. O. 8809, June 28, 1941, 6 F R. 3209; 3 CFR, 1943 Cum. Supp., as amended by E. O. 9323, Mar. 31, 1943, 8 F R. 4225, 3 CFR, 1943 Cum. Supp., as amended by E. O. 10444, Apr. 10, 1953, 18 F R. 2069, 3 CFR, 1953 Supp.) (AFR 35-30A)

4. Paragraphs (a) and (b) of § 878.53 are changed as follows:

§ 878.53 Korean Service Medal—(a) Description. The Korean Service Medal is a metal disk 1¼ inches in diameter. On the obverse is a Korean gateway encircling the design is the inscription "Korean Service." On the reverse is the Korean symbol taken from the center of

the Korean national flag representing the essential unity of all being, with the inscription "United States of America" and a spray of oak and laurel encircling the design. The medal is suspended by a ring from a silk moire ribbon composed of white piping on the ends, a center of United Nations blue intersected by a white band.

(b) Requirements for award. The Korean Service Medal is awarded to persons assigned or attached to combat or service units, designated by the Commander. Far East Air Forces, in general orders for service within the Korean Theater or adjacent areas between June 27, 1950 and July 27, 1954.

(R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interprets or applies E. O. 10179, Nov. 8, 1950, 15 F R. 7665, 3 CFR 1950 Supp., as amended by E. O. 10429, Jan. 17, 1953, 18 F R. 408, 3 CFR, 1953 Supp. (AFR 35-50A))

- 5. The first sentence of paragraph (b) of § 878.54 is changed to read as follows:
- § 878.54 United Medal. * * * Nations
- (b) Requirements for award. The United Nations Service Medal established by the United Nations General Assembly Resolution 483 (V) December 12, 1950, is awarded to members of the Armed Forces of the United States dispatched to Korea or adjacent areas of military operations specifically for service on behalf of the United Nations in the Korean Theater between June 27. 1950 and July 27, 1954.
- (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a) (AFR 35-50A)
- 6. Paragraphs (c) (d) and (g) of § 878.55 are changed as follows:
- § 878.55 Armed Forces Reserve Medal.
- (c) Service creditable. Each year of active or inactive honorable service as a member of any of the Reserve components listed in paragraph (b) of this section may be credited toward award of the Armed Forces Reserve Medal until July 1, 1949. For service performed on or after July 1, 1949, members must accumulate during each anniversary year a minimum of 50 retirement points as prescribed in section 302 (b) of the Army and Air Force Vitalization and Retirement Equalization Act, 1948 (Sec. 302. 62 Stat. 1087, as amended; 10 U.S.C. 1036a) except that those persons in the Army of the United States or Air Force of the United States must compute time as follows:
- (1) Active or mactive service prior to July 1, 1948 is creditable for those Army of the United States or Air Force of the United States officers appointed under the act of September 22, 1941 (55 Stat. 728; 10 U. S. C. 484 note) After July 1, 1948, only active duty under such Army of the United States or Air Force of the United States appointments will be creditable.
- (2) Active or inactive service prior to July 1, 1949, will be creditable for those Army of the United States or Air Force of the United States officers appointed under section 127a, National Defense

Act (sec. 51, 41 Stat. 785, as amended; 10 U.S. C. 513) or section 515 (e) of the Officer Personnel Act of 1947 (sec. 515 (e) 61 Stat. 907 · 10 U. S. C. 506d (e))

- (3) For the purpose of computing eligibility for the Armed Forces Reserve Medal, all Army of the United States or Air Force of the United States appointments will be considered as having been made under the act of September 22, 1941 (55 Stat. 728; 10 U. S. C. 484 note) unless otherwise indicated on official records.
- (d) Service not creditable. Service in the following sections at any time may not be credited.
 - (1) Inactive National Guard.
 - (2) Inactive Air National Guard.
- (3) Nonfederally recognized status in National Guard or Air National Guard.
- (4) Inactive Reserve Section or Hon-orary Reserve Section of the Officers' Reserve Corps.
- (5) Inactive Section or Honorary Section of the Air Force Reserve.
- (6) Honorary Retired List of the Naval and Marine Corps Reserve.
- (7) Inactive status list of the Standby Reserve.
 - (8) Retired Reserve.
 - (9) Women's Army Auxiliary Corps.

- (g) Determining eligibility. Eligibility for the Armed Forces Reserve Medal may be determined from data contained in items 18 and 28 of DA Form 66, "Officer's, Warrant Officer's and Flight Officer's Qualification Record" officer's certificate of statement of service; AF Form 190, "USAF Reserve Personnel Record Card" or a statement from the person concerned certifying that his service in a Reserve component meets the requirements of satisfactory Federal service as defined in section 306 (b) of the Army and Air Force Vitalization and Retirement Equalization Act, 1948 (62 Stat. 1089 · 10 U. S. C. 1036e)
- (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U.S. C. 22, 171a. Interprets or applies E. O. 10163, Sept. 25, 1950, 15 F R. 64, 89; 3 CFR, 1950 Supp., as amended by E. O. 10439, Mar. 1953, 18 F R. 1581, 3 CFR, 1953 Supp. (AFR 35-50A))
- 7. The first sentence of paragraph (b) of § 878.57 is changed as follows:
- § 878.57 National Defense Service edal. * * * Medal.
- (b) Requirements for award. The National Defense Service Medal is awarded for any period (1 day or longer) of honorable active duty service between June 27, 1950 and July 27, 1954.
- (E. O. 10448, April 22, 1953, 18 F R. 2391; 3 CFR, 1953 Supp. (AFR 35-50D))
- 8. Section 878.69 is changed to read as follows:
- § 878.69 Method of wearing—(a) Service medals and ribbons. Service medals and ribbons are worn from the wearer's right to left and immediately above the pocket on the left breast in one or more lines.
- (b) United States service medals and ribbons. United States service medals and ribbons are worn following all United States decorations in the following [F R. Doc. 55-1245; Filed, Feb. 11, 1955; manner.

- (1) The Good Conduct Medal is worn immediately following United States dec-A Good Conduct Medal orations. awarded for service performed with the United States Navy Marine Corps, or Coast Guard is worn immediately following the Good Conduct Medal awarded by the Air Force or Army
- (2) All other United States service awards follow in the order in which earned (not the date of entry in the records or date upon which the service award is established, but the date upon which the person becomes eligible for the award) For example, the National Defense Service Medal was not established until April 22, 1953, but all personnel upon active duty as of June 27, 1950 become entitled to the award as of June 27, 1950. Therefore, the National Defense Service Medal will be worn preceding the Korean Service Medal. The only exception to this rule is the Armed Forces Reserve Medal which is always worn following all other United States service awards.
- (c) Philippine Service Ribbons. Philippine Service Ribbons are worn following United States service awards.
- (d) United Nations Service Medal. The United Nations Service Medal is worn immediately following all foreign decorations, if any otherwise, immediately following all United States service awards and Philippine service ribbons.
- (e) Foreign service awards. Foreign service awards, as authorized in § 878.67, are worn immediately following any foreign decorations or immediately following United States service medals, Philippine service ribbons, and the United Nations Service Medal, should the person concerned not have any foreign decorations. Foreign service medals are worn in the order earned or in the manner prescribed by the foreign nation awarding the medals. At least one United States decoration or service award must be worn at the same time that a foreign award is worn.
- (R. S. 161, sec. 202, 61 Stat. 500, as amended: 5 U. S. C. 22, 171a) (AFR 35-50A)
- 9. Paragraph (b) (1) of §887.2 is changed as follows:
- § 887.2 Eligibility requirements. * * * (b) Specific requirements—(1) Medical. Each applicant must:
- (i) Be a graduate of a medical school acceptable to the Surgeon General, USAF and which is legally authorized to confer the degree of doctor of medi-
- (ii) Have completed at least 3 months of an internship acceptable to the Surgeon General, USAF or its equivalent in practical or professional experience as determined by the Surgeon General, USAF subsequent to graduation from medical school.
- (R. S. 161, sec. 202, 61 Stat. 500, as amended, 5 U. S. C. 22, 171a. Interprets or applies sec. 205 (a) 61 Stat. 501, as amended; 10 U. S. C. 91b (AFR 36-21A))

E. E. Toro, [SEAL] Colonel, U S. Air Force, Air Adjutant General.

8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order I-15]

DMO I-15—ASSIGNMENT OF DEFENSE MOBILIZATION RESPONSIBILITIES TO THE INTERSTATE COMMERCE COMMISSIONER

By virtue of the authority vested in me pursuant to the National Security Act of 1947, as amended, Reorganization Plan No. 3, effective June 12, 1953; Defense Production Act of 1950, as amended, Executive Order 10480 of August 15, 1953, as amended; and in order to facilitate the coordination of Federal policies and programs for current defense activities and readiness for any future mobilization, it is hereby ordered:

- 1. The Commissioner of the Interstate Commerce Commission who is responsible for the supervision of the Bureau which administers the car service functions of the Commission will be responsible for the development of preparedness measures relating to those domestic transportation, storage, and port industries assigned to him by and pursuant to Executive Order 10480, as amended, and DMO I-7 and DMO VII-5. Such preparedness measures should be undertaken within a work program which is consistent with the defense mobilization assumptions and objectives for the Government as a whole. To assure such consistency the work program will be submitted to the Director of the Office of Defense Mobilization for review.
 - 2. The Commissioner shall.
- a. (1) Exercise as required the priorities and allocations authority assigned to him by and pursuant to Executive Order 10480, as amended; and (2) advise with respect to orders, regulations, and directives as they may affect industries and facilities assigned to him.
- b. Develop, assemble, and evaluate data with respect to the requirements to be imposed on the domestic transportation, storage, and port systems and facilities assigned to him, under partial and full mobilization conditions.
- c. Recommend establishment or modification of expansion goals and develop and recommend expansion programs with respect to domestic transportation, storage, and port industries assigned to him, including advice regarding probable financial incentives and aids for overcoming shortages of capacity or supply under partial or full mobilization conditions.
- d. Analyze the problems involved in maintaining an adequate mobilization base in the domestic transportation, storage, and port industries assigned to him, and recommend necessary programs.
- e. Develop, assemble, and evaluate data as to materials, equipment, supplies, manpower, and other requirements of such assigned industries under partial and full mobilization conditions.
- f. Investigate and make recommendations on application of members of in-

dustries assigned to him for accelerated tax amortization certificates or Defense Production Act loans, guarantees and procurement contracts.

- g. Develop and maintain programs, including the necessary orders and regulations, for the operation of the assigned industries under partial and full mobilization conditions and cooperate with the Office of Defense Mobilization and other appropriate agencies in planning other production and distribution controls related thereto.
- h. Provide guidance and leadership to assigned industries in the development of plans and programs to insure the continuity of essential operations in event of attack and cooperate with the Department of Commerce in the identification and rating of essential facilities.
- 3. The work program to be undertaken by the Commissioner shall indicate the priority and scope of the work to be carried on in each of the areas enumerated above and the industries to be covered. Reports on progress shall be submitted as requested by the Office of Defense Mobilization.
- 4. This order is intended to state the responsibilities of the Commissioner of the Interstate Commerce Commission who is responsible for the supervision of the Bureau which administers the car service functions of the Commission insofar as he performs functions pursuant to Executive Order 10480, as amended; Executive Order 10219, as amended; DMO I-7 and DMO VII-5, and does not affect any delegation of authority here-tofore conferred upon the Commissioner.
- 5. This order shall take effect on February 11, 1955.

OFFICE OF DEFENSE
MOBILIZATION,
ARTHUR S. FLEMMING,
Director

[F R. Doc. 55-1293; Filed, Feb. 11, 1955; 10:31 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle
[Ex Parte MC-43]

PART 207—LEASE AND INTERCHANGE OF VEHICLES

AUGMENTING EQUIPMENT; INTERCHANGE OF EQUIPMENT

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 2d day of February A. D. 1955.

Upon consideration of the record in the above-entitled proceeding, and in order to afford additional time to further study the situations respecting the sections and provisions of the lease and interchange rules specified below, and for the purpose of continuing our efforts to solve the leasing problem:

It is ordered, That the order entered in this proceeding on May 8, 1951, as heretofore modified, be, and it is hereby, further modified so as to make effective

March 1, 1956, instead of March 1, 1955, the provisions (1) of § 207.4 (a) (3) which require that any contract, lease, or other arrangement for the use of equipment shall specify a period "which shall not be less than 30 days" and (2) that part of § 207.4 (a) (5) reading: "Provided, however That such compensation shall not be computed on the basis of any division or percentage of any applicable rate or rates on any commodity or commodities transported in said vehicle or on a division or percentage of any revenue earned by said vehicle during the period for which the lease is effective." A report and recommended order respecting this two portions of the rules were served December 22, 1954, and these matters are assigned for oral argument on April 7, 1955

It is further ordered, That § 207.5 (c) of the rules and regulations prescribed by said order of May 8, 1951, as subsequently modified, which require that drivers be changed at the point of interchange of vehicles on joint-line movements, presently indicated to become effective March 1, 1955, be, and it is hereby further modified to become effective March 1, 1956, but only insofar as the same applies to authorized carriers by motor vehicle of passenger automobiles, commercial trucks, busses, and related vehicle traffic, and of perishable products in refrigerated equipment;

It is further ordered, That the portion of § 207.5 (c) (1) immediately following the semicolon therein of the rules and regulations prescribed by said order of May 8, 1951, as subsequently modified, reading: "and, that, until July 1, 1954 (subsequently postponed to March 1, 1955) such drivers may make the inspection required by § 207.5 (e) of these rules and regulations on behalf of any carrier party to the through movement" be, and it is hereby further modified to read as follows: "and that, until March 1, 1956, such drivers may make the inspection required by § 207.5 (e) of these rules and regulations on behalf of any carrier party to the through movement"

And it is further ordered, That the said order of May 8, 1951, as subsequently modified, to become effective March 1, 1955, and only to the extent that it applies to authorized carriers of household goods as defined by this Commission, be, and it is hereby, further modified, to become effective March 1, 1956;

And it is further ordered, That this order shall be effective as of the date hereof

Notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission, at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

(49 Stat. 546, as amended; 49 U.S. C. 304)

By the Commission.

[SEAL] GEORGE W LAIRD, Secretary,

[F R. Doc. 55-1274; Filed, Feb. 11, 1955; 8:52 a. m.]

PROPOSED RULE MAKING

Cancellation of license. Surrender of license.

Authority and duties of inspectors performing service on a contract

Facilities to be furnished for use of graders and inspectors in perform-

ing service on a contract basis.

Who may obtain grading, inspection,

Application for continuous inspec-

tion in official plants; approval.

When application may be rejected.

When application may be with-

How application may be made.

Suspension of plant approval.

Other applicable regulations.

IDENTIFYING AND MARKING PRODU

APPLICATION FOR GRADING, INSPECTION, OB

SAMPLING SERVICE

and sampling service. Authority of applicant.

Identification.

drawn.

Order of service.

Denial of service.

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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service [7 CFR Parts 55, 65]

GRADING AND INSPECTION OF EGG PRODUCTS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering a revision of the regulations governing the sampling, grading, grade labeling, and supervision of packaging of eggs and egg products. This action is taken pursuant to authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087: 7 U. S. C. 1621 et seq.)

The revision would change the title of Part 55 and delete the currently effective provisions applicable to the grading and inspection of shell eggs. The regulations applicable to shell eggs will be contained in a new Part 56, a notice of which appeared in the FEDERAL REG-ISTER of November 25, 1954 (19 F R. 7607) Included in the proposed revision, as Subpart C, is Part 65, Official United States Standards for Palatability Scores for Dried Whole Eggs.

The proposed revision changes some of the provisions of the minimum requirements for sanitation, facilities, and operating procedures, prescribes the forms of the inspection marks, and modifies some of the provisions relating to the application of the service to make them consistent with similar provisions in the shell egg and poultry grading and inspection regulations. Most of the proposed changes were discussed rather extensively during informal meetings with members of the industry and other interested persons during the past several months.

All interested persons who desire to submit written data, views, or arguments in connection with this proposed revision should file the same in triplicate with the Chief of the Standardization and Marketing Practices Branch, Poultry Division, Agricultural Marketing Service, U. S. Department of Agriculture, Room 2099 South Building, Washington 25, D. C., not later than fifteen (15) days following publication of this proposal in the Federal Register.

The proposed revision is as follows:

The	proposed revision is as follows:	55.58
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		ORITY §§ 55.1 to 55.126 issued under 5, 60 Stat. 1090; 7 U. S. C. 1624 et seq.
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SUBPART A-GRADING AND INSPECTION OF EGG PRODUCTS

DEFINITIONS

§ 55.1 Meaning of words. Under the regulations in this part, words in the singular shall be deemed to import the plural and vice versa, as the case may demand.

§ 55.2 Terms defined. For the purpose of the regulations in this part, unless the context otherwise requires, the following terms shall be construed, respectively as follows:

(a) "Act" means the applicable provisions of the Agricultural Marketing Act of 1946 (60 Stat. 1087 7 U.S. C. 1621 et seq.) or any other act of Congress conferring like authority

(b) "Administrator" means the Administrator of the Agricultural Marketing Service of the Department or any other officer or employee of the Department to whom there has heretofore been delegated, or to whom there may hereafter be delegated the authority to act in his stead.

(c) "Applicant" means any interested party who requests any grading or inspection service, or appeal grading or appeal inspection, with respect to any product.

(d) "Area Supervisor" means any employee of the Department in charge of poultry grading service in a designated the Administrator, affixed to any product geographical area. the Administrator, affixed to any product or to any container thereof, stating that

- (e) "Class" means any subdivision of a product based on essential physical characteristics that differentiate between major groups of the same kind, species, or method of processing.
- (f) "Condition" means any condition (including, but not being limited to, the state of preservation, cleanliness, soundness, wholesomeness, or fitness for human food) of any product which affects its merchantability or any condition, including but not being limited to, the processing, handling, or packaging which affects such product.

 (g) "Department" means the United
- (g) "Department" means the United States Department of Agriculture.
- (h) "Eggs of current production" means shell eggs which have moved through usual marketing channels since the time they were laid, and have not been held in refrigerated storage in excess of 60 days.

 (i) "Grader" means any employee of
- (i) "Grader" means any employee of the Department authorized by the Secretary, or any other person to whom a license has been issued by the Secretary to investigate and certify in accordance with the act and this part, to shippers of products and other interested parties the class, quality, quantity, and condition of such products.
- (j) "Grading" means (1) the act of determining, according to the regulations, the class, quality quantity, or condition of any product by examining each unit thereof or a representative sample drawn by a grader or sampler (2) the act of issuing a grading certificate; or (3) the act of identifying, when requested by the applicant, any product by means of official identification pursuant to the act and this part.
- (k) "Grading certificate" or "processing and packaging certificate" means a statement, either written or printed, issued by a grader, pursuant to the act and this part, relative to the class, quality quantity and condition of products.
- (I) "Grading service" or "continuous inspection" means (1) any grading or inspection, in accordance with the act and the regulations, of any product, (2) continuous supervision, in any official plant, of the preparation or packaging of any product, or (3) any appeal grading or appeal inspection of any previously graded or inspected product.
- (m) "Inspector" means any employee of the Department authorized by the Secretary, or any other person to whom a license has been issued by the Secretary, to inspect and certify the quality quantity, and condition of products.
- quantity, and condition of products.

 (n) "Interested party" means any person financially interested in a transaction involving any grading or appeal grading of any product.
- (o) "National Supervisor" means (1) the officer in charge of the poultry grading service of the Service, and (2) such other employee of the Service as may be designated by him.
- (p) "Office of grading" means the office of any grader, sampler, or inspector.
- (q) "Official identification" means the symbol represented by a stamp, label, seal, mark, or other device approved by

- the Administrator, affixed to any product or to any container thereof, stating that the product was graded or inspected and indicating the class, quality, grade, or condition of such product as determined by a grader or inspector.
- (r) "Official plant" means any plant in which the facilities and methods of operation therein have been found by the Administrator to be suitable and adequate for grading service or continuous inspection in accordance with this part and in which grading service is carried on
- (s) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.
- (t) "Product" or "products" means eggs (whether shell, liquid, frozen, or dried) and egg products. Such term shall also include any food product which is prepared or manufactured from any product if such product constitutes a substantial portion, by weight, of all the ingredients used in the preparation or manufacture of such food product.

 (u) "Quality" means the inherent
- (u) "Quality" means the inherent properties of any product which determine its relative degree of excellence.
- (v) "Regulations" means the provisions in this part.
- (w) "Sampler" means any employee of the Department authorized by the Secretary or any other person to whom a license has been issued by the Secretary, to draw samples of products for grading by a grader or for lot analysis under the act and this part.
- under the act and this part.

 (x) "Sampling" means the act of taking samples of any product for grading.
- (y) "Sampling report" means a statement, either written or printed, issued by a sampler, identifying samples taken by him for grading.
- (z) "Sanitize" means to subject to an acceptable germicidal agent.
- (aa) "Secretary" means the Secretary of the Department or any other officer or employee of the Department to whom there has heretofore been delegated, or to whom there may hereafter be delegated, the authority to act in his stead.
- (bb) "Service" means the Agricultural Marketing Service of the Department.
- (cc) "Shell eggs" means shell eggs of domesticated chickens.

ADMINISTRATION

§ 55.3 Authority. The Administrator shall perform, for and under the supervision of the Secretary such duties as the Secretary may require in the enforcement or administration of the provisions of the act and this part. The Administrator is authorized to waive for a limited period any particular provisions of the regulations to permit experimentation so that new procedures, equipment, and processing techniques may be tested to facilitate definite improvements and at the same time to determine full compliance with the spirit and intent of the regulations.

GENERAL

§ 55.4 Kinds of service available. The regulations in this part provide for the following kinds of service:

- (a) Continuous inspection of processing liquid and frozen egg products in official plants.
- (b) Continuous inspection of processing dried egg products in official plants.
- (c) Sampling and laboratory analysis of liquid, frozen, and dried egg products prepared in official plants.
- (d) Condition inspection of egg products which were prepared in official plants.
- (e) Condition inspection of egg products which were prepared in nonofficial plants.
- § 55.5 Where grading service is offered. Any product may be graded, inspected, and sampled wherever a grader, sampler, or inspector is available and the facilities and the conditions are satisfactory for the conduct of the grading service.
- § 55.6 Basis of service. Products shall be graded or inspected in accordance with such standards, methods, and instructions as may be issued or approved by the Administrator. All grading service shall be subject to supervision at all times by the applicable State supervisor, circuit supervisor, area supervisor, and national supervisor. Whenever the supervisor of a grader or inspector has evidence that such grader or inspector incorrectly graded or inspected a product such supervisor shall take such action as is necessary to correct the grading or inspection and to cause any improper official identification which appears on the product or containers thereof to be corrected prior to shipment of the product from the place of the initial grading or inspection.

PERFORMANCE OF SERVICES

- § 55.10 Licensed graders, inspectors, and samplers. (a) Except as otherwise provided in paragraph (c) of this section, any person possessing proper qualifications as determined by an examination for competency and who is to perform grading service pursuant to this part may be licensed by the Secretary as a grader, inspector, or sampler.
- (b) All licenses issued by the Secretary are to be countersigned by the officer in charge of the poultry grading service of the Agricultural Marketing Service or by any other official of such Service designated by such officer.
- (c) No person may be licensed to grade, inspect, or sample any product in which he is financially interested.
- § 55.11 Limited license may be issued. To any person possessing proper qualifications, as determined by the Administrator, there may be issued a limited license by the Secretary to inspect liquid and frozen eggs that are produced under the supervision of an inspector. No person to whom a limited license is issued by the Secretary shall have the authority to issue any grading certificate; and all eggs (whether shell, liquid, or frozen) which are graded or inspected by any such person shall thereafter be checkgraded or check-inspected by a grader or inspector. All limited licenses, issued by the Secretary, are to be countersigned by the officer in charge of the poultry grading service of the Agricultural Mar-

keting Service or by any other official of such service designated by such officer.

§ 55.12 Suspension of license. Pending final action by the Secretary the aforesaid officer in charge of the poultry grading service may, whenever he deems such action necessary, suspend any license or limited license issued pursuant to this part, by giving notice of such suspension to the respective licensee, or limited licensee, accompanied by a statement of the reasons therefor. Within seven days after the receipt of the aforesaid notice and statement of reasons by such licensee or limited licensee, he may file an appeal in writing, with the Secretary supported by any argument or evidence that he may wish to offer as to why his license or limited license should not be suspended or revoked. After the expiration of the aforesaid seven day period and consideration of such argument and evidence, the Secretary will take such action as he deems appropriate with respect to such suspension or revocation. When no appeal is filed within the prescribed seven days, the license shall be automatically revoked.

- § 55.13 Cancellation of license. Upon termination of his services as a grader, inspector, or sampler each licensee and limited licensee shall surrender his license immediately for cancellation.
- § 55.14 Surrender of license. Each license and each limited license which is cancelled, suspended, or has expired shall immediately be surrendered by the licensee or limited licensee to the office of grading serving the area in which he is located.
- § 55.15 Identification. All graders, inspectors, samplers, supervisors of packaging, and persons holding limited licenses shall each have in possession at all times, and present upon request, while on duty the means of identification furnished by the Department to such
- § 55.16 Political activity. All graders, inspectors, and samplers are forbidden during the period of their respective appointments or licenses, to take an active part in political management or in political campaigns. Political activities in city county State, or national elections, whether primary or regular, or in behalf of any party or candidate, or any measure to be voted upon, is prohibited. This applies to all appointees, including, but not being limited to, temporary and cooperative employees and employees on leave of absence with or without pay. Willful violation of this section will constitute grounds for dismissal in the case of appointees and revocation of licenses in the case of licensees.
- § 55.17 Authority and duties of inspectors performing service on a contract basis. (a) Each inspector is authorized:
- (1) To make such observations and inspections as he deems necessary to enable him to certify that egg products have been prepared, processed, stored, and otherwise handled in conformity with the regulations in this part;
- (2) To supervise the marking of packages containing egg products which

identification;

- (3) To retain in his custody, or under his supervision, labels with official identification, marking devices, samples, certificates, seals, and reports of inspectors;
- (4) To deface or remove, or cause to be defaced or removed under his personal supervision, any official identification from any package containing egg products whenever he determines that such products were not processed in accordance with the regulations or are not fit for human food, and

(5) To issue a certificate covering all products processed in the official plant.

- (b) Each inspector shall prepare such reports and records as may be prescribed by the officer in charge of the poultry grading service, which shall contain, in addition to all other required data, a daily record of.
- (1) The sanitary condition of the official plant and all processing operations therein in connection with the production of egg products;
- (2) All processing, holding, and storing temperatures:
- (3) The selection of all raw material used in the production of egg products;
- (4) The handling and condition of the finished egg products;
- (5) The total quantity of egg products identified with the inspection mark;
- (6) The total quantity of egg products officially identified in accordance with § 55.38, and
- (7) The total quantity of egg products not fit for human food.
- § 55.18 Facilities to be furnished for use of graders and inspectors in performing service on a contract basis. (a) Facilities for the proper sampling, weighing, and examination of shell eggs and egg products shall be furnished by the official plant for use by inspectors and frozen egg graders.
- (b) A desk (equipped with a satisfactory locking device) and if necessary a locker in which labels with official identification, marking devices, samples, certificates, seals, and reports of inspectors will be kept, shall be furnished by the official plant for use by inspectors.

APPLICATION FOR GRADING, INSPECTION, OR SAMPLING SERVICE

- § 55.20 (a) Who may obtain grading, inspection, and sampling service. An application for grading, inspection, or sampling service may be made by any interested person, including, but not being limited to, the United States, any State, county municipality or common carrier, and any authorized agent of the foregoing.
- (b) Where grading service is offered. Any product may be graded, inspected. and sampled wherever a grader, sampler, or inspector is available and the facilities and the conditions are satisfactory for the conduct of the grading service.
- § 55.21 Authority of applicant, Proof of the authority of any person applying for any grading service may be required at the discretion of the Administrator.
- § 55.22 How application may be made—(a) On a fee basis. An applica-

are eligible to be identified with official tion for any grading service may be made in any office of grading, or with any grader, sampler, or inspector at or nearest the place where the service is desired. Such application for service may be made orally (in person or by telephone) in writing, or by telegraph. If an application for grading service is made orally the office of grading, grader, sampler, or inspector with whom such application is made, or the Administrator, may require that the application be confirmed in writing.

(b) On a contract basis. An application for continuous inspection on a contract basis to be rendered in an official plant must be made in writing on forms approved by the Administrator and filed

with the Administrator.

(c) Form of application. Each application for grading, inspecting, or sampling a specified lot of any product shall include such information as may be required by the Administrator in regard to the product and the premises where such product is to be graded, inspected, or sampled.

§ 55.23 Application for continuous inspection in official plants, approval. Any person desiring to process and pack products under continuous inspection service must receive approval of such plant and facilities as an official plant prior to the rendition of such service. An application for continuous inspection service to be rendered in an official plant shall be approved according to the following procedure:

(a) Initial survey. When an application for continuous inspection in a plant has been filed, the area supervisor or his assistant serving the area in which the plant is located will make a survey and inspection of the premises and plant to determine whether the facilities and methods of operation therein are suitable and adequate for service in accordance with (1) the regulations in this part and (2) such other administrative instruc-

tions as may be issued, from time to time, by the Service and which are in effect at the time of the aforesaid survey and inspection.

- (b) Drawings and specifications to be furnished. Four copies of drawings properly drawn to scale shall be submitted to the area supervisor. The drawings shall consist of floor plans of space to be included in the official plant, the locations of such features as the principal pieces of equipment, floor drains, hand washing facilities, hose connections for clean-up purposes, the cardinal points of the compass, and the name and address (specific location) of the plant.
- (1) The official plant shall include the breaking room, equipment washing and sanitizing rooms, shell egg washing room, shell egg storage rooms, toilet and dressing rooms, store rooms for supplies used in the operation under this service, and all other rooms, compartments, or passageways where products or any ingredients to be used in the preparation of products under this service will be handled or kept and may include other rooms located in the buildings comprising the official plant.

(2) If rooms shown on the drawings are not to be included as part of the official plant, this should be clearly indicated thereon.

(3) Specifications covering the height of ceilings, types of principal pieces of equipment, character of walls, floors, and ceilings, lighting, ventilation including intake and exhaust facilities, water supply and drainage, and such other notations as may be required shall accompany the drawings. Upon approval of the drawings and specifications the application for service may be approved.

(c) Final survey and plant approval. Prior to the inauguration of continuous inspection service, a final survey of the plant and premises shall be made by the area supervisor or his assistant to determine if the plant is constructed and facilities are installed in accordance with the approved drawings and the regulations in this part. The plant may be approved only when these requirements have been met.

§ 55.24 When application may be rejected. Any application for grading service, inspection service, or sampling service may be rejected by the Administrator (a) whenever the applicant fails to meet the requirements of the regulations prescribing the conditions under which the service is made available: (b) whenever the product is owned by or located on the premises of a person currently denied the benefits of the act; (c) where any individual holding office or a responsible position with or having a substantial financial interest or share in the applicant is currently denied the benefits of the act or was responsible inwhole or in part for the current denial of the benefits of the act to any person: or (d) where he determines that the application is an attempt on the part of a person currently denied the benefits of the act to obtain grading or inspection service. Each such applicant shall be promptly notified by registered mail of the reasons for the rejection. A written petition for reconsideration of such rejection may be filed by the applicant with the Administrator if postmarked or delivered within 10 days after receipt of notice of the rejection. Such petition shall state specifically the errors alleged to have been made by the Administrator in rejecting the application. Within 20 days following the receipt of such a petition for reconsideration, the Administrator shall approve the application or notify the applicant by registered mail of the reasons for the rejection thereof.

§ 55.25 When application may be withdrawn. An application for grading service may be withdrawn by the applicant at any time before the service is performed upon payment, by the applicant, of all expenses incurred by the Service in connection with such application.

§ 55.26 Order of service. Grading and inspection service shall be performed, insofar as practicable, in the order in which applications therefor are made except that precedence may be given to any application for an appeal grading or appeal inspection. The Service shall not be 11able in damages accruing

through acts of commission or omission in the administration of this part.

§ 55.27 Suspension of plant approval.

(a) Any plant approval pursuant to the regulations in this part may be suspended for (1) failure to maintain plant and equipment in a satisfactory state of repairs; (2) the use of operating procedures which are not in accordance with the regulations in this part; or (3) alterations of buildings, facilities, or equipment which cannot be approved in accordance with the regulations in this part.

(b) During such period of suspension, inspection service shall not be rendered. However, the other provisions of the contract for service shall remain in effect unless terminated in accordance with the terms thereof. If the plant facilities or methods of operation are not brought into compliance within a reasonable period of time to be specified by the Administrator, the contract shall be terminated. Upon termination of any contract providing for inspection service in an official plant pursuant to the regulations, the plant approval shall also become terminated, and all labels, seals, tags or packaging material bearing official identification shall, under the supervision of a person designated by the Service, either be destroyed, or the official identification completely obliterated, or sealed in a manner acceptable to the Service.

VIOLATIONS

§ 55.30 Denial of service. (a) The following acts or practices may be deemed sufficient cause for the debarment of any person by the Administrator from any or all benefits of the act for a specified period, after notice and opportunity for hearing has been accorded him:

(1) Misrepresentation, deceptive, or fraudulent acts or practices. Any wilful misrepresentation or any deceptive or fraudulent act or practice found to be made or committed by any person in connection with.

(i) The making or filing of any application for any grading service, inspection service, or sampling service, appeal or regrading service;

(ii) The making of the product accessible for sampling, grading, or inspection:

(iii) The use of any grading certificate or inspection certificate issued pursuant to the regulations in this part or the use of any official stamp, label, or identification;

(iv) The use of the terms "United States" or "U. S." in conjunction with the grade of the product;

(v) The use of any of the aforesaid terms or an official stamp, label, or identification in the labeling or advertising of any product; or

(vi) The use of the terms "Government Graded," "Federal-State Graded," "U. S. Inspected," "Government Inspected," or terms of similar import in the labeling or advertising of any product.

(2) Use of facsimile forms. The unauthorized use of a form which simulates in whole or in part any official certificate,

stamp, label, or identification authorized to be issued or used under the regulations in this part to evidence the inspection or grade of any product.

(3) Wilful violation of the regulations. Any wilful violation of the regulations in this part.

(4) Interfering with a grader or inspector Any interference with or obstruction of any grader or inspector in the performance of his duties by intimidation, threat, bribery, assault or any other improper means.

(5) Misleading labeling. The use of the terms "Government Graded," "Federal-State Graded," or terms of similar import in the labeling of any product without stating in the label the U. S. grade of the product as determined by an authorized grader.

(6) Miscellaneous. The existence of any of the conditions set forth in § 55.24 constituting a basis for the rejection of an application for grading or inspection service.

(b) Whenever the Administrator has reason to believe that any person, or his employee, agent, or representative has flagrantly or repeatedly committed any of the acts or practices specified in paragraph (a) of this section, he may without hearing, direct that the benefits of the act be denied such person pending investigation and hearing and shall give notice thereof by registered mail. A written petition for reconsideration of such interim denial may be filed with the Administrator by any person so denied the benefits of the act if postmarked or delivered within 10 days after notice of the interim denial. Such petition shall state specifically the errors alleged to have been made by the Administrator in denying the benefits of the act pending investigation and hearing. Within 20 days following the receipt of such a petition for reconsideration, the Administrator shall reinstate the benefits of the act or notify the petitioner by registered mail of the reasons for continued interim denial.

§ 55.31 Other applicable regulations. Compliance with the regulations in this part shall not excuse failure to comply with any other Federal or any State or municipal applicable laws or regulations.

IDENTIFYING AND MARKING PRODUCTS

§ 55.35 Approval of official identification. Any label or packaging material which bears any official identification shall be used only in such manner as the Administrator may prescribe. No label or packaging material bearing official identification may be used unless finished copies or samples of such labels and packaging material have been approved by the Administrator. No label bearing official identification shall be printed for use until the printer's final proof has been approved by the Administrator. and no label bearing any official identification shall be used until finished copies or samples of such label have been approved by the Administrator. A label which bears official identification shall not bear any statement that is false or misleading. If the label is printed or otherwise applied directly to the container the principal display panel of such container shall for this purpose be considered as the label. The label shall contain the common or usual name of the product, if any there be, the name and address of the packer or distributor; and when the name of the distributor is shown, it shall be qualified by such term as "packed for," "distributed by" or "distributors," the lot number, a statement of the net contents of the container, and if the product is comprised of two or more ingredients such ingredients shall be listed by their common or usual names in the order of descending proportions.

§ 55.36 Form of inspection mark. The inspection mark which is permitted to be used on egg products, other than those prepared in accordance with \$\frac{1}{2}\] shifts 39 and 55.40, shall be contained within the outline of a shield of the wording and design set forth in Figure 1 of this section, except that the lot number may be applied to the container other than within the inspection mark, and in such instances the inspection mark shall be in the form and design as indicated in Figure 2 of this section.



FIGURE 2.

SELECTED EGGS

PROCESSED UNDER SUPERVISION

OF USDA LICENSED INSPECTOR

PLANT 000

§ 55.37 Products that may bear the inspection mark. Egg products which are permitted to bear the inspection mark shall be processed in an official plant from edible shell eggs of current production and may contain other edible ingredients. The following categories of edible shell eggs and egg prod-

ucts may be used to prepare egg products which are to bear the inspection mark:
(a) Clean shell eggs; (b) stained shell eggs; (c) shell eggs with adhering dirt on the shells: Provided, That prior to processing, such eggs are properly cleaned or washed and dried in such a manner as will avoid contamination of the egg meat; (d) shell eggs containing blood spots (localized clots of blood which can be readily removed) provided such spots are removed; and (e) other egg products which were processed in an official plant and which bear the inspection mark.

§ 55.38 Form of other identification. Egg products prepared in accordance with §§ 55.39 and 55.40, if to be officially identified, shall be marked with an official identification of the wording and design set forth in Figure 3 of this section, except that the lot number may be omitted from the official identification if it is applied elsewhere on the container.

EGG PRODUCTS

PROCESSED UNDER SUPERVISION OF USDA LICENSED INSPECTOR

PLANT NO.000 LOT 000

FIGURE 3.

§ 55.39 Products which may bear other identification. Egg products which are produced in an official plant from edible shell eggs other than of current production and from edible shell eggs which are (a) leakers; (b) checks with adhering dirt, and (c) shell eggs containing blood spots (localized clots-of blood which can be readily removed) provided such spots are removed, may bear the official identification set forth in § 55.38. None of such egg products may bear the inspection mark but may bear the rectangular identification mark illustrated in Figure 3 of § 55.38. After freezing and prior to shipping, such products shall be drilled and inspected organoleptically by a grader of frozen eggs and those products which are in a satisfactory condition may bear the official identification set forth in Figure 3 of § 55.38.

§ 55.40 Processing turkey, guinea, duck, and goose eggs. Edible turkey, guinea, duck, and goose eggs may be processed in the official plant if such eggs are processed separately and properly labeled. The resultant egg product may be officially identified.

§ 55.41 Products not eligible for official identification. Egg products which were prepared in nonofficial plants shall not be officially identified, but such products may be inspected organoleptically and covering certificates issued setting forth the results of the inspection. Such certificates shall apply only to the samples examined and shall include a statement that the product was produced in a nonofficial plant.

§ 55.42 Use of presently approved labels. Containers or labels which bear an official identification which were approved prior to the effective date of the regulations in this part may be used until the supply on hand is exhausted.

§ 55.43 Supervision of marking and packaging—(a) Evidence of label approval. No grader or inspector shall authorize the use of official identification on any inspected product unless he has on file evidence that such official identification or packaging material bearing such official identification has been approved in accordance with the provisions of § 55.35.

(b) Affixing of official identification. No official identification may be affixed to or placed on or caused to be affixed to or placed on any product or container thereof except by a grader or inspector or under the supervision of a grader or inspector or other person authorized by the Administrator. All such products shall have been inspected in accordance with the regulations in this part. The grader or inspector shall have supervision over the use and handling of all material bearing any official identification.

§ 55.44 Accessibility of product. Each product for which grading service or inspection service is requested shall be so placed as to disclose fully its class, quality, quantity, and condition as the circumstances may warrant.

§ 55.45 Grading certificates and sampling report forms. Grading certificates (including appeal grading certificates) and sampling report forms shall be issued on forms approved by the Administrator.

§ 55.46 Grading certificate issuance. Each grader shall issue a grading certificate covering each product graded except that with respect to grading service performed on a contract basis the issuance of a grading certificate shall be pursuant to a request therefor by the applicant or the Service. A grader or inspector shall not sign any certificate covering any product not graded or inspected by him.

§ 55.47 Disposition of grading certificates. The original of any grading certificate, issued pursuant to § 55.46, and not to exceed three copies thereof, shall, immediately upon issuance, be delivered or mailed to the applicant or person designated by him. One copy shall be filed in the office of grading serving the area in which the grading service was performed, and all other copies shall be filed in such manner as the Administrator may approve. Additional copies of any such certificate may be supplied to any interested party as provided in § 55.63.

§ 55.48 Advance information. Upon request of an applicant, all or part of the contents of any grading certificate issued to such applicant may be telephoned or telegraphed to him, or to any person designated by him, at his expense.

APPEAL GRADING

§ 55.50 When appeal grading may be requested. An application for an appeal grading may be made by any interested party who is dissatisfied with any deter-

mination stated in any grading certificate, if the identity of the samples, or the product, has not been lost; and such application for an appeal grading shall be made within two days following the day on which the grading was performed. Upon approval by the Administrator, the time within which an application for an appeal grading may be made may be extended.

§ 55.51 How to obtain appeal grading. Appeal grading may be obtained by filing a request therefor (a) with the Administrator, (b) with the grader or inspector who issued the grading certificate with respect to which the appeal grading is requested. (c) with the immediate superior of such grader or inspector, or (d) with the officer in charge of any office of The application for appeal grading. grading shall state the reasons therefor and may be accompanied by a copy of the aforesaid grading certificate or any other information the applicant may have secured regarding the product, at the time of grading, from which the appeal is requested. Such application may be made orally (in person or by telephone) in writing, or by telegraph. If made orally written confirmation may be required.

§ 55.52 Record of filing time. A record showing the date and hour when each such application for appeal grading is received shall be maintained in such manner as the Administrator may prescribe.

§ 55.53 When an application for an appeal grading may be refused. If it appears to the Administrator that the reasons for an appeal grading are frivolous or not substantial, or that the quality or condition of the products has undergone a material change since the grading from which the appeal is made, or the identical products graded cannot be made accessible for regrading, or the act or this part has not been complied with, the Administrator may refuse the applicant's request for the appeal grading; and such applicant shall be promptly notified of the reasons for such refusal.

§ 55.54 When an application for an appeal grading may be withdrawn. An application for appeal grading may be withdrawn by the applicant at any time before the appeal grading is made upon payment, by the applicant, of all expenses incurred by the Service in connection with such application.

§ 55.55 Order in which appeal gradings are performed. Appeal gradings shall be performed, insofar as practical, in the order in which applications therefor are received; and any such application may be given precedence pursuant to § 55.26.

§ 55.56 Who shall make appeal gradings. An appeal grading of any graded product shall be made by any grader (other than the one from whose grading the appeal is made) designated for this purpose by the Administrator and, whenever practical, such appeal grading shall be conducted jointly by two such graders.

§ 55.57 Appeal grading certificate. Immediately after an appeal grading has been completed, an appeal grading certificate shall be issued showing the results of such appeal grading; and such certificate shall supersede the grading certificate previously issued for the product involved. Each appeal grading certificate shall clearly identify the number and date of the grading certificate which it supersedes; and such supersedure shall be effective as of the time of issuance of the grading certificate with respect to which the appeal is made. The provisions of §§ 55.45 to 55.48, both inclusive, shall, whenever applicable, also apply to appeal grading certificates except that copies of such appeal grading certificates shall be furnished each interested party of record.

§ 55.58 Appeal from inspector's decision. Any interested party may if dissatisfied with any decision of an inspector relating to inspection service, other than the appeal specified in §§ 55.50 to 55.57, both inclusive, file an appeal from such decision. Any such appeal from a decision of an inspector shall be made to his immediate superior. Review of such appeal findings, when requested, shall be made by the national supervisor.

§ 55.59 Superseded certificates. Whenever any grading certificate is superseded in accordance with this part, such certificate shall become null and void and, after the effective time of the supersedure, shall no longer represent the class, quality or condition of the product described therein. If the original and all copies of such superseded certificate are not delivered to the person issuing the appeal grading certificate, he shall notify such persons as he considers necessary to prevent fraudulent use of the superseded certificate.

FEES AND CHARGES

§ 55.60 Payment of fees and charges.
(a) Fees and charges for any grading service shall be paid by the interested party making the application for such grading service, in accordance with the applicable provisions of this section and §§ 55.61 to 55.69, both inclusive; and, if so required by the grader, inspector, or sampler, such fees and charges shall be paid in advance.

(b) Fees and charges for any grading service shall, unless otherwise required pursuant to paragraph (c) of this section, be paid by the interested party making application for such grading service by check, draft, or money order payable to the Agricultural Marketing Service and remitted promptly to the Service.

(c) Fees and charges for any grading service under a cooperative agreement with any State or person shall be paid in accordance with the terms of such cooperative agreement by the interested party making application for any such grading service,

§ 55.61 On a fee basis. (a) Unless otherwise provided in this part, the fees to be charged and collected for any service (other than for an appeal grading) performed, in accordance with this part.

on a fee basis shall be based on the applicable rates specified in §§ 55.63 to 55.67, both inclusive.

(b) In the event the aforesaid applicable rates are deemed by the Administrator to be inadequate fully to reimburse the Service for all costs and other items paid or incurred by the Service in connection with such grading service, the fees for such service shall not be based on the rates specified in §§ 55.63 to 55.67, both inclusive, but shall be based on the time required to perform such service and the travel of each sampler, grader, and inspector, at the rate of \$4.00 per hour for the time actually required.

(c) If an applicant requests that any grading service be performed on a holiday or a non-work day he may be charged for such service at a rate one and one-half times the rate which would otherwise be applicable for such service if performed other than on a holiday or non-work day.

§ 55.62 Fees for appeal grading. The fees to be charged for any appeal grading shall be double the fee specified in the grading certificate from which the appeal is taken: Provided, That the fee for any appeal grading requested by the United States, or any agency or instrumentality thereof, shall be the same as set forth in the grading certificate from which the appeal is taken. If the fee on the certificate from which the appeal is taken is based on a contract, then the fee for such appeal grading shall be double the amount specified in § 55.65 (a) (1) for the applicable volume of product appeal graded. If the result of any appeal grading discloses that a material error was made in the grading appealed from, no fee shall be required.

§ 55.63 Fees for additional copies of grading certificates. Additional copies of any grading certificates, other than those provided for in § 55.47 may be supplied to any interested party upon payment of a fee of \$1.50 for each set of five or fewer copies.

§ 55.64 Travel expenses and other charges. Charges may be made to cover the cost of travel and other expenses meurred by the Service in connection with the performance of any grading service. Such charges shall include the costs of travel, per diem, and other expenses, plus a charge of 10 percent of the amount charged for said travel, per diem, and other expenses to cover administrative costs of the Department. When travel and other expenses are charged in connection with any grading the minimum charge which shall be made shall be \$0.50.

§ 55.65 Egg products grading and inspection fees. For each grading or inspection of any lot of egg products, the following fees shall be applicable and shall be computed on the basis of the number of packages in such lot:

(a) Frozen eggs—(1) Inspection for condition only.

	ree
For 50 packages or less	\$2.00
For 51 to 100 packages, inclusive	3.00
For each additional 100 packages, or	
fraction thereof, in excess of 100	
packages	1.00

	ree
When each individual package in any lot is inspected for condition only, the fee for each package inspected	
shall be	\$0. 20
(2) Inspection for condition and pling for laboratory analysis.	sam-
	Fee
For 50 packages or less	\$4.00
For 51 to 100 packages, inclusive For each additional 100 packages, or fraction thereof, in excess of 100	5.00
packages	1.00
§ 55.66 Fees for laboratory and (a) For each of the following labor	
analyses the fee referable thereto	shall
be applicable except as otherwise s	
	svavec
in paragraph (b) of this section:	
(1) Dwod mb als some	

(1) Dried whole eggs:

Palatability and odor First sample Each additional sample	1. 50 60
(2) Dried yolks:	
•	Fee
Solids	\$1.50
Fat	2. 50
Solubility	75
Sugar	3.50
Palatability and odor:	
First sample	1, 50
Each additional sample	
(3) Dried albumen:	
	Fee

Fat _______ 2.50 Solubility ______ 75

Meringue _____ 1.50 (4) Frozen whole eggs:

Fat	2. 50
(5) Frozen whites:	
•	Fee
Solids	
Fat	
Whipping test	1.00
Meringue	1.50
(6) Frozen yolks:	

Solids _____ \$1.50

Fee

Bugar		3. 00
	Bacteriological analyses and s	
cified	determinations with respect	to
produ	cts listed in subparagraphs	(1)
throug	gh (6) of this paragraph.	

Solids _____ \$1.50

	200
Bacteriological plate count	\$1.50
Bacteriological direct count	1.50
E. Coli. (Presumptive)	1.80
Salt	
Color	1, 50

(b) Other fees for specified individual tests and services. The fees specified in this paragraph are applicable for individual tests for one factor only on a particular sample of egg products.

	1.00
Solids	\$2.00
Bacteriological plate count	1. 75
Bacteriological direct count	1, 50
Yeast and mold count	1.50
Presumptive E. Coli	2.00
Sediment	1.00
Extraneous material	2.00
Color	
рН	
Palatability and odor	1.50
Presumtive coliform count (solid	
media)	1.80

§ 55.67 Additional charges. With respect to any grading service performed in a freight or express car or any other place where the entire lot of the product is not readily accessible to the grader, inspector, or sampler, if the time required for the performance of such service is greater than would otherwise be required if the entire lot were readily accessible, as aforesaid, a fee of \$4.00 shall be charged in addition to the applicable rates specified in §§ 55.63 to 55.66, both inclusive.

§ 55.68 On a contract basis. Fees to be charged and collected for any service. other than for an appeal grading, on a contract basis, shall be such as are provided in such contract. The fees to be charged for any appeal grading shall be as provided in §§ 55.61 to 55.66, both inclusive.

§ 55.69 Fees for grading service performed under cooperative agreement. The fees to be charged and collected for any service performed under cooperative agreement shall be those provided for by such agreement.

SANITARY REQUIREMENTS

§ 55.75 Plant requirements. (a) The plant shall be free from strong foul odors, dust, and smoke-laden air.

(b) The premises shall be free from refuse, rubbish, waste, and other materials and conditions which constitute a source of odors or a harbor for insects, rodents, and other vermin.

(c) The buildings shall be of sound construction and kept in good repair. such as to prevent the entrance or harboring of vermin.

(d) Rooms shall be kept free from refuse, rubbish, waste materials, odors, insects, rodents, and from any conditions which may constitute a source of odors or engender insects and rodents. Materials and equipment not currently needed shall be handled or stored in a manner so as not to constitute a sanitary

(e) Doors and windows that open to the outside shall be protected against the entrance of flies and other insects. Doors and windows serving rooms where edible product is exposed shall be adequately protected against the entrance of dust and dirt. All doors leading into rooms where edible product is processed shall be of solid construction and other than freezer and cooler doors, shall be fitted with self-closing devices.

(f) Doors and other openings which are accessible to rodents shall be of rodent-proof construction.

(g) There shall be an efficient drainage and plumbing system for the plant and premises. All drains and gutters shall be properly installed with approved traps and vents. The sewerage system shall have adequate slope and capacity to remove readily all waste from the various processing operations. All floor drains shall be equipped with traps, and constructed so as to minimize clogging.

(h) Shell egg storage rooms, either on or off the premises, shall be capable of precooling all shell eggs to meet the temperature requirements (set forth in § 55.85) for liquid eggs at time of breaking, such rooms shall be kept clean and

free from objectionable odors and mold growth.

(i) The water supply (both hot and cold) shall be ample, clean, and potable, with adequate facilities for its distribution throughout the plant, or portion thereof utilized for egg processing and handling operations, and for protection against contamination and pollution.

(j) The floors, walls, ceiling, partitions, posts, doors, and other parts of all structures shall be of such materials, construction, and finish to permit their ready and thorough cleaning. floors and curbing shall be watertight.

(k) Each room and each compartment in which any shell eggs or egg products are handled or processed shall be so designed and constructed as to insure processing and operating conditions of a clean and orderly character. free from objectionable odors and vapors, and maintained in a clean and sanitary condition.

(1) Every practicable precaution shall be taken to exclude dogs, cats, and vermin (including, but not being limited to. rodents and insects) from the plant, or portion thereof utilized, as aforesaid, in which shell eggs or egg products are

handled or stored.

(m) There shall be a sufficient number of adequately lighted dressing rooms and toilet rooms, ample in size, conveniently located in and separated from the rooms and compartments in which shell egs or egg products are handled, processed, or stored. The dressing rooms and toilet rooms shall be separately ventilated, and shall meet all requirements as to sanitary construction and equipment.

(n) Lavatory accomodations (including, but not being limited to, hot and cold running water, soap, and towels) shall be placed at such locations in the plant as may be essential to assure cleanliness of each person handling any shell eggs or egg products.

(o) Suitable facilities for cleaning and sanitizing utensils and equipment shall be provided at convenient locations throughout the plant.

§ 55.76 Equipment and utensils. Equipment and utensils used in processing shell eggs and egg products shall be of such design, material, and construction as will (a) enable the examination, segregation, and processing of such products in an efficient, clean, and satisfactory manner, and (b) permit easy access to all parts to insure thorough cleaning and sanitizing. So far as is practicable, all such equipment shall be made of metal or other impervious material, if the metal or other impervious material will not affect the product by chemical action or physical contact. Receptacles and packages used for shell eggs or egg products which are not fit for human food shall bear some conspicuous and distinctive identification.

§ 55.77 General operating procedures. (a) All operations involving processing, storing, and handling of shell eggs, ingredients to be added, and egg products shall be strictly in accord with clean and sanitary methods, and shall be conducted as rapidly as is practicable and, except as necessary in preparing egg products by

the fermentation or enzyme oxidation processes, at temperatures that will tend to cause no material increase in bacterial growth, or no deterioration or breakdown of the original quality of the egg meat.

- (b) All shell eggs and egg products shall be subjected to constant and continuous inspection throughout each and every processing operation. Any shell egg or egg product which was not processed in accordance with the regulations in this part or is not fit for human food shall be removed and segregated prior to any further processing operation in connection with the production of egg products to be identified by official identification.
- (c) Shell eggs or egg products which are not fit for human food shall be placed in a conspicuously marked container which contains a denaturant of such character as will prevent such products from being used as human food or in the case of shell eggs they shall be treated in such manner as will preclude their use as human food.

(d) Eggs containing diffused blood in the albumen or on the yolk shall not be used in the preparation of egg products and such eggs shall be denatured.

- (e) Each person who is to handle any exposed or unpacked egg products shall wash his hands immediately prior to handling any such products, or any utensils which contain, or are to contain, such products and shall maintain clean hands while handling any exposed or unpacked egg products.
- (f) No product or material which creates an objectionable condition shall be processed, stored, or handled in any room, compartment, or place where any shell eggs or egg products are processed, stored, or handled.
- (g) Only such germicides, insecticides, rodenticides, detergents, or wetting agents or other similar materials may be used as will not contaminate or deleteriously affect the edible product. The use of such compounds shall be in a manner satisfactory to the Administrator.
- (h) All utensils and equipment which are contaminated during the course of processing any shell eggs or egg products shall be removed from use immediately and shall not be used again until cleaned and sanitized
- (i) Any substance or ingredient added in the processing of any egg products shall be clean and fit for human food.
- (j) Packages or containers for egg products shall be clean when being filled with any egg products; and all reasonable precautions shall be taken to avoid soiling or containnating the surface of any package or container liner which is, or will be, in direct contact with such egg products.
- (k) All egg products shall, at the completion of the processing operation, be inspected by an inspector to ascertain the condition of the finished product.
- (1) Egg meat which is examined and passed by an inspector shall be processed in such manner as to insure the removal of meat spots, shell particles, and foreign materials.

(m) All utensils and equipment shall be cleaned and sanitized at the start of each day's processing operations and, except as otherwise provided in § 55.83 (z) at the resumption of processing operations following any cessation of such operations for 30 minutes or longer. All such equipment and utensils shall be kept clean and sanitary during all processing operations.

§ 55.78 Candling room facilities. (a) The room shall be adequately darkened and the equipment arranged so as to permit frequent removal of refuse, such as inedible or loss eggs, excess packing material, and trash.

(b) The construction of the floor shall allow thorough cleaning. In new construction the floors shall be of water-resistant composition and provided with proper drainage.

(c) Ventilation shall be such as to provide for the rapid removal of objectionable odors and dust, preferably by means of an exhaust fan.

(d) Candling devices of an approved type shall be provided to enable candlers to detect inedible, dirty checked eggs, and eggs other than chicken eggs.

(e) Suitable metal containers shall be provided for edible leakers.

(f) Suitable metal containers shall be provided for inedible eggs and such containers shall be conspicuously marked.

(g) Suitable metal containers shall be provided for trash.

(h) Shell egg conveyors shall be constructed so that they can be thoroughly cleaned.

§ 55.79 Candling room operations.
(a) Candling rooms shall be kept clean, free from cobwebs, dust, objectionable odors, and excess packing material.

(b) Candling room floors and benches shall be thoroughly cleaned daily

- (c) Wooden spools on mechanical candling machines shall be maintained in a clean and dry condition during operation.
- (d) Containers for trash and inedible eggs shall be removed from the candling room as often as necessary but at least once daily and shall be washed or rinsed after each use and shall be washed, rinsed, and disinfected at the end of each shift.
- (e) Duck, turkey guinea, and goose eggs shall be segregated and if processed they shall be processed separately from eggs to be identified with the inspection
- (f) Shell eggs received in cases having strong odors such as kerosene, gasoline, or other odors of a volatile nature, shall be candled and broken separately to determine their acceptability for egg meat purposes and each container of the resultant frozen product shall be drilled and examined organoleptically.
- (g) The shell eggs shall be sorted and classified as edible, dirty, leakers, eggs from other than chickens, or loss, in a manner approved by the National Supervisor.
- (1) All edible eggs shall be carefully placed on conveyors or into containers and handled in a manner which will minimize breakage.

- (2) Eggs shall be handled in a manner to minimize sweating prior to breaking.
- (3) Leakers and checks which are liable to be smashed in the shell egg containers or on the conveyor belt shall be placed into trays (not more than one per cell) and shall be transferred promptly to the breaking room to be broken by specially trained personnel.

(4) All shell eggs with adhering dirt shall be placed into separate containers or onto conveyors to egg washers.

- (5) When egg products are to be produced from edible leakers, checks with adhering dirt, sound shell eggs with adhering dirt, or from eggs other than of current production, such breaking stock shall be properly segregated from other breaking stock.
- (6) All loss or medible eggs, including black, white or mixed rots, green or bloody whites, stuck yolks, moldy eggs, developed embryos at or beyond the blood ring stage, and any other eggs which are filthy or decomposed, shall be placed in a designated container and be handled as required in § 55.77 (c)
- § 55.80 Egg washing area. (a) The egg washing room or area shall be separated from the breaking, drying, and sanitzing rooms. It shall be well-lighted and the floor shall be of water-proof composition and shall be constructed to allow thorough cleaning and adequate drainage. Ventilation, preferably by means of an exhaust fan, shall provide for the removal of objectionable vapors and odors.

(b) Either hand or mechanical egg washing equipment that has been approved by the National Supervisor, shall be provided.

§ 55.81 Egg washing operations. (a) Temperature of the wash water for dirties shall be at least 20° F higher than the temperature of the eggs to be washed.

- (b) Shell eggs with adhering dirt shall be washed, rinsed with a water spray, and dried. Such eggs may be immersed in or sprayed with a bactericidal solution immediately following the water rinse, and thereafter dried prior to breaking.
- (c) Shell eggs shall not be washed in the breaking or sanitizing rooms or any room where edible products are processed, if such operations would create an objectionable condition and which might contaminate the edible products.
- (d) Washed eggs shall be immediately broken after they are dried except that such eggs may be precooled prior to breaking to facilitate separating operations, but such precooled eggs shall be broken within 24 hours after they are washed.
- § 55.82 Breaking room facilities. (a) The breaking room shall have at least 30 foot candles of light on all working surfaces except that light intensity shall be at least 50 foot candles at breaking tables and inspection tables.
- (b) The surface of the ceiling and walls shall be smooth and made of a tile, plaster, or other water-resistant material.
- (c) The floor shall be of water-proof composition and reasonably free from

cracks or rough surfaces, and intersections with walls and curbing shall be impervious to water with ample drainage provided.

(d) Ventilation shall provide for

- (1) Sufficient input of relatively odorless filtered air to cause a positive flow of air into the room:
- (2) Sufficient exhaust to cause a prompt and continuous removal of objectionable odors; and
- (3) Warm room air of suitable working temperature when rooms are operated during cold weather.
- (e) There shall be provided adequate hand washing facilities, an adequate supply of potable warm water, paper towels, odorless soap, and metal containers for used towels. Hand washing facilities shall be operated by other than hand operated controls.
- (f) Tables and receiving shelves shall be of approved metal construction and surfaces thereof shall be smooth and without open seams. Metal covered wooden tables are not acceptable.
- (g) Conveyors for liquid-egg containers shall be so constructed as will prevent entrance of grease, dust, or other contaminants into the liquid eggs.
- (h) Conveyors for shell eggs shall be so constructed as will permit them to be cleaned continuously while in operation. Shell egg conveyors of non-metallic belt type shall be of water-proof composition and so constructed as will permit them to be rinsed or sprayed and squeegeed continuously while in operation.
- (i) Overhead conveyors which are used exclusively for carrying shell eggs, shall be so installed as will prevent egg meat which is being conveyed or is on the breaking table from being contaminated.
- (j) Trays, racks, knives, cups, separators, spoons, buckets, dump tanks, churns, draw-off tanks, pumps, valves, and liquid-egg lines shall be of approved construction.
- (k) All liquid-egg containers, including cups and buckets, shall be free from leaks and excessive dents, rust spots, and seams which make cleaning difficult.
- (1) Frozen egg cans are not acceptable as liquid-egg buckets, but may be used, however, as temporary operational containers for liquid eggs prepared as provided in § 55.39.
- (m) A metal inspection table shall be provided for the examination of questionable egg liquid. A suitably covered container bearing an identifying mark shall be placed near the inspection table for disposal of rejected egg liquid.
- (n) Strainers, settling tanks, or centrifugal clarifiers of approved construction shall be provided for the effective removal of shell particles, and foreign material, unless specific approval is obtained from the National Supervisor for other mechanical devices.
- (o) Separate churn or draw-off rooms, if provided, shall meet requirements that are comparable to those listed under this section.
- (p) In the processing of whole eggs or albumen, hashers may be used when preceded by an approved settling tank, strainer, or followed by a centrifugal clarifler.

- § 55.83 Breaking room operations.
 (a) The breaking room shall be kept in a dust-free clean condition and free from flies, insects, and rodents. The floor shall be kept clean and reasonably dry during breaking operations and free of egg meat and shells.
- (b) Shell egg containers coming into the breaking room shall be so handled that they do not pass directly over or come in contact with liquid egg, liquidegg containers, or drip trays.
- (c) Belt type shell egg conveyors shall be continuously sprayed while in operation with clean, cool water, and squeegeed. Wooden spool shell egg conveyors shall be kept dry and reasonably clean during operations.
- (d) All breaking room personnel shall wash their hands thoroughly with odorless soap and water each time they enter the breaking room and prior to receiving clean equipment after breaking an inedible egg. Perfumes and nail polish shall not be used by breakers.
- (e) Paper towels or tissues shall be used at breaking tables but shall not be re-used, cloth towels are not permitted.
- (f) Breakers shall take a complete set of clean cups, knives, chutes, racks, trays, separators, and spoons, when starting work and after lunch periods. All table equipment shall be rotated with clean equipment every 2 hours.
- (g) When cups are used, not more than three eggs or when separating, not more than six yolks, shall be broken into one cup; if cups are small not more than two eggs or when separating, four yolks shall be broken into each cup. Cups shall not be filled to overflowing.
- (h) Each shell egg must be broken in a satisfactory and sanitary manner and inspected for wholesomeness by smelling the shell or the egg meat and by visual examination at the time of breaking. All egg meat shall be re-examined by a limited licensed inspector before being emptied into the tank or churn.
- (i) Shell particles, meat and blood spots, and other foreign material accidentally falling into the cup or tray shall be removed with the use of a clean spoon or equivalent. Breakers shall keep their fingers out of the cups or trays at all times.
- (j) Whenever an medible egg is broken, the drip tray racks, cups, other similar egg liquid receptacles, knife, and spoon shall be replaced with clean equipment, except that only the cup need be exchanged when bloody whites or blood rings are encountered.
- (k) Inedible and loss eggs are defined to include black rots, white rots, mixed rots, green whites, bloody whites, crusted yolks, stuck yolks, developed embyros at or beyond the blood ring stage, moldy eggs, sour or musty eggs, and any other filthy and decomposed eggs.
- (1) The contents of any cup or other similar egg-liquid receptacles containing one or more inedible and/or loss eggs shall be rejected.
- (m) Cups containing questionable eggs shal be re-examined by specially trained personnel for final acceptance or rejection
- (n) All inedible egg liquid must be placed in a clearly identified covered

- container containing a denaturant. This container shall be kept adjacent to, or in the sanitizing room, or near the inspection table and shall be removed from the breaking or sanitizing room as often as is necessary to maintain satisfactory operating conditions but at least once daily. Notwithstanding the foregoing and upon written permission of the Administrator, the applicant may temporarily hold inedible liquid in conspicuously marked containers which do not contain a denaturant if such medible liquid is subsequently dried in the plant and the resultant medible product is denatured.
- (o) Contents of drip trays shall be emptied into a cup and smelled carefully before pouring into egg-liquid bucket. Drip trays shall be emptied at least once for each fifteen dozen eggs or every 15 minutes.
- (p) Liquid eggs recovered from shell egg containers and leaker trays shall be discarded as inedible.
- (q) Eggs as described in § 55.39, shall be broken at a separate table, processed separately and the product properly identified.
- (r) All egg liquid and ingredient containers used in connection with egg breaking operations shall be kept on suitable racks or shelves above floor level. Additives such as sugar, salt, and syrups shall be handled in a clean and sanitary manner.
- (s) Liquid-egg containers shall not pass through the candling room.
- (t) Test kits, which employ reagent tablets, standard color samples, or other acceptable methods which indicate the concentration of the solution, shall be used to determine the bactericidal strength. (See § 55.99.) The instructions of the manufacturer of the test kit shall be followed carefully
- (u) All leaker trays shall be washed and sanitized whenever they become soiled and at the end of each shift.
- (v) Shell egg containers whenever dirty shall be washed and drained, and washed, rinsed, sanitized, and drained at the end of each shift.
- (w) Belt type shell egg conveyors shall be washed, rinsed, and sanitized at the end of each shift in addition to continuous spraying and squeegeeing during operation.
- (x) Cups, knives, racks, separators, trays, spoons, liquid-egg pails, and other egg breaking receptacles shall be washed, rinsed, and sanitized at least every two hours. At the end of a shift this equipment shall be washed and rinsed and immediately prior to use again it shall be immersed in a bactericidal solution and drained.
- (y) Sanitized utensils shall be drained on aerated drain racks and shall not be nested.
- (z) Dump tanks, draw-off tanks, low pressure liquid egg lines and surface, tubular, or plate coolers shall be flushed whenever processing operations have ceased for 30 minutes or longer except when such equipment is used exclusively for preparing blends and mixes of egg products with added ingredients in which case said equipment shall be flushed whenever processing operations have ceased for 60 minutes or longer.

All such equipment shall be dismantled, washed, rinsed, and sanitized after each shift.

- (1) Such equipment shall not be reassembled more than two hours prior to use.
- (2) Such equipment shall be flushed with a bactericidal solution for at least one minute prior to placing in use, and, if other than chlorine compounds are used as sanitizing agents, it shall be rinsed with clean water.
- (aa) Strainers, clarifiers, and other devices used for the removal of shell particles and other foreign material shall be washed, rinsed, and sanitized each time it is necessary to change such equipment, but at least once each four hours of operation, and unless gauges are installed which indicate satisfactory operation, pressure strainers shall be washed, rinsed, and sanitized at least once each two hours of operation.
- (bb) Breaking room processing equipment shall not be stored on the floor.
- (cc) Metal frozen egg containers and lids shall be thoroughly washed with hot water, or with water containing a detergent sanitizer, followed by a clean water rinse, and drained immediately prior to filling.
- (dd) Liquid-egg holding vats or tanks shall be thoroughly rinsed with cool water under pressure, washed and rinsed after emptying and sanitized immediately prior to placing in use. If other than chlorine compounds are used as sanitizing agents, such equipment shall be rinsed with clean water following sanitizing.
- (ee) Drums, cans, and tank trucks used to hold or transport liquid eggs for drying or freezing, shall be washed, rinsed, and sanitized after each use and just prior to placing in use. If other than chlorine compounds are used as sanitizing agents, such equipment shall be rinsed with clean water following sanitizing.
- (ff) Tables shall be washed, scrubbed, and rinsed at the end of each shift.
- (gg) Mechanical egg breaking equipment shall be flushed with clean water under pressure at lunch periods and shall be thoroughly cleaned and sanitized at the end of each shift.
- (hh) Egg shell conveyors and shell containers shall be cleaned and sanitized daily
- (ii) Containers for inedible egg liquid shall be washed, rinsed, and sanitized after each use.
- (jj) All equipment which comes in contact with exposed edible product shall be rinsed with clean water after sanitizing except that a rinse is not necessary when the equipment was sanitized by hypochlorite solutions.
- (kk) Breaking stock consisting of edible leakers, checks with adhering dirt, sound shell eggs with adhering dirt, or shell eggs of other than current production shall be processed separately from product eligible to bear the inspection mark. The resultant egg products may be identified with the rectangular stamp illustrated in Figure 3 of § 55.38.
- (11) All frozen egg products prepared under the egg products inspection serv-

ice in official plants shall be examined by organoleptic examination after freezing to determine their fitness for human food. Any such products which are found to be unfit for human food shall be denatured and any official identification mark which appears on the containers of such unfit products shall be removed or completely obliterated.

- § 55.84 Liquid egg cooling facilities.
 (a) Liquid egg cooling units shall be of approved construction and shall have sufficient capacity to cool all liquid eggs to meet the temperature requirements specified in § 55.85 for liquid eggs prior to drying or freezing.
- (b) Surface type coolers shall be fitted with covers unless located in a separate room maintained under sanitary conditions.
- (c) If adequate liquid cooling facilities are not provided, shell egg temperatures shall be such that the liquid egg temperature specified in § 55.85 will be produced at time of breaking.
- § 55.85 Liquid cooling operations.
 (a) Liquid-egg storage rooms, including surface cooler and holding tank room, shall be kept clean, free from objectionable odors and condensation.
- (b) All shell eggs shall be precooled to a temperature which will produce liquid eggs at less than 70° F at time of breaking. However, this requirement shall not be applicable to eggs that are washed on the premises and immediately broken.
- (c) All liquid whole eggs and plain yolks shall be cooled to a temperature of less than 45° F within one hour after breaking and held at that temperature or less until frozen, dried, or delivered to consumer with the following exceptions:
- (1) The product is packed in metal containers of 30 pounds or less capacity and is placed into a sharp freezer within 40 minutes from time of breaking, at such temperatures and under such stacking conditions that will lower the temperature of the product to 45° F or below within one hour.
- (2) The product is to be stabilized by removal of glucose and is cooled to 45° F or less immediately following stabilization:
- (3) The stabilized product that will be dried within 30 minutes after stabilization is completed; or
- (4) The product is to be pasteurized within one hour after breaking and immediately cooled to 45° F or less within one hour after pasteurization. Liquid whole eggs and plain yolks if held more than 8 hours shall be reduced to a temperature of less than 40° F and held at that temperature or less until frozen, dried, or delivered to consumer except as otherwise provided in subparagraph (2) of this paragraph. Liquid whole eggs and yolks shall not be held in a liquid state in excess of 20 hours.
- (d) Liquid whites that are to be frozen, yolks, and whole egg blends with salt or sugar added, shall be produced at temperatures not exceeding 70° F and shall be placed in sharp freezing facilities as quickly as possible but at least within one hour after breaking. If handled otherwise, the temperature require-

ments of paragraphs (b) and (c) of this section shall apply.

- (e) Liquid whites that are to be stabilized and dried shall be stabilized by removal of glucose by fermentation, enzymatic oxidation, or any other acceptable procedure. Liquid whites shall be held at a temperature not exceeding 70° F until the stabilization process is begun. Drying will be carried out as soon as possible after the removal of the glucose and the capacity of the drier shall be sufficient to handle the volume of product stabilized so that the storage of stabilized liquid whites will not be necessary as a regular operating procedure.
- (f) Compliance with temperature requirements applying to liquid eggs shall be considered as satisfactory only if the entire mass of the liquid meets the requirements.
- (g) Surface coolers must be kept covered at all times unless located in a separate room maintained under sanitary conditions.
- (h) Agitators shall be operated in such a manner as will minimize the production of foam.
- (i) When ice is used as an emergency refrigerant, by being placed directly into the egg meat, the source of the ice must be certified by the local or State Board of Health. Such liquid shall not be frozen and identified with the Department legend, but it may be dried and so identified. All ice shall be handled in a sanitary manner.
- § 55.86 Liquid egg holding. (a) All tanks, vats, drums, or cans used for holding liquid eggs shall be of approved construction, fitted with covers (except when held in vat rooms, egg breaking, or canning rooms) and located in rooms maintained in a sanitary condition.
- (b) Liquid-egg holding tanks or vats shall be equipped with an agitator.
- (c) Inlets to holding tanks or vats shall be such as to prevent excessive foaming.
- (d) Gaskets, if used, shall be of a sanitary type.
- § 55.87 Freezing facilities. (a) Freezing rooms, either on or off the premises, shall be capable of freezing all liquid egg products in accordance with the freezing requirements as set forth in § 55.88.
- (b) Fans shall be provided to guarantee adequate air circulation in the freezing room.
- § 55.88 Freezing operations. (a) Freezing rooms shall be kept clean and free from objectionable odors.
- (b) Freezing rooms shall be maintained at temperatures that will produce a solidly frozen product within 72 hours after it has been placed into the freezer, except that in the case of egg mixes, or blends, the freezer shall be operated at temperatures to preserve these products in a satisfactory condition.
- (c) Containers shall be stacked so as to permit circulation of air around each individual container.
- (d) The outside of liquid-egg containers shall be clean and free from evidence of liquid egg.
- (e) Frozen eggs not officially identified shall be stored in a specifically des-

ignated and segregated section of the storage room and each package shall be appropriately marked.

- § 55.89 Defrosting facilities. (a) Approved metal defrosting tanks or vats constructed so as to permit ready and thorough cleaning shall be provided.
- (b) Frozen egg crushers, when used, shall be of approved metal construction. The crushers shall permit ready and thorough cleaning and the bearings and housings shall be fabricated in such a manner as to prevent contamination of the egg products.
- (c) Service tables shall be of approved metal construction without open seams and the surfaces shall be smooth to allow thorough cleaning.
- (d) Squeegees shall be provided for removing adhering egg meat from containers.
- § 55.90 Defrosting operations. (a) Frozen whole eggs and yolks shall be turned into a liquid state in a sanitary manner as quickly as possible after the defrosting process has begun.
- (b) Each container of frozen eggs shall be checked for condition and odor just prior to being emptied into the crusher or receiving tank. Frozen eggs which have objectionable odors and are unfit for human food (e. g., sour, musty oil, fermented, or decomposed odors) shall be denatured.
- (c) Frozen whites used in the production of dried albumen may be defrosted at room temperature.
- (d) Frozen whole eggs and yolks may be tempered or partially defrosted for not to exceed 48 hours at a room temperature no higher than 40° F., or not to exceed 24 hours at a room temperature above 40° F.. Provided, That no portion of the defrosted liquid shall exceed 50° F while in or out of the container.
- (1) Frozen eggs packed in metal containers may be placed in running cold tap water without submersion to speed defrosting.
- (2) The defrosted liquid shall be held at-40° F or less except in the case of the product to be stabilized by glucose removal as provided in § 55.85 (c) (2) Defrosted liquid shall not be held more than 16 hours prior to drying.
- (e) Sanitary methods shall be used in handling containers, extracting semi-frozen eggs, and in removing adhering egg liquid.
- (1) To rinse out containers, the pouring of water from one container into another is not permitted.
- (2) Emptied cans shall not be stacked one on the other while waiting final removal of liquid.
- (3) Paper or fiber packages of frozen eggs shall not be immersed in water to speed defrosting.
- (f) Crushers and other equipment used in defrosting operations shall be dismantled at the end of each shift and shall be washed, rinsed, and sanitized.
- (1) Where crushers are used intermittently, they shall be flushed after each use and again before being placed in use.
- (2) Floors and work tables shall be kept clean.

- § 55.91 Spray process drying facilities. (a) Driers shall be of a continuous discharge type. Collectors shall be equipped with automatic bag shakers, vibrators, or sweeps, or so constructed that powder will not accumulate on the walls.
- (b) Driers shall be of approved construction and materials, without open seams, and the surfaces shall be smooth to allow for thorough cleaning.
- (c) Driers shall be equipped with approved air intake filters and with intake and exhaust recording thermometers.
- (d) Air shall be drawn into the drier from sources free from foul odors or excessive dust and dirt.
- (e) Indirect heat or the use of an approved premixing device or other approved devices for securing complete combustion in direct-fired units is required. A premix type burner, if used, shall be equipped with approved air filters at blower intake.
- (f) High pressure pump heads and lines shall be of stainless steel construction or equivalent which will allow for thorough cleaning.
- (g) Preheating units, if used, shall be of stainless steel construction or equivalent and shall be capable of flash heating liquid eggs to a temperature of not less than 138° F
- (h) Powder conveying equipment shall be so constructed as will facilitate thorough cleaning.
- (1) Sifters shall be of approved construction and, except as otherwise provided in § 55.92, sifting screens shall be no coarser than the opening size specified for No. 16 mesh (U. S. Bureau of Standards) Sifters must be so constructed that accumulations of large particles or lumps of dried eggs can be removed continuously while the sifter is in operation.
- (j) Cooling equipment for dried egg powder shall be provided and be capable of cooling all powder to a temperature requirement of 85° F or less at time of packaging.
- § 55.92 Spray process drying operations. (a) The drying room shall be kept in a dust-free, clean condition at all times and shall be free of flies, insects, and rodents.
- (b) When liquid whole eggs and yolks are preheated they shall be heated to a temperature of not less than 138° F
- (c) Low pressure liquid-egg lines, high pressure pumps, low pressure pumps, homogenizers and pasteurizers shall be flushed after each day's run, and dismantled, washed, and flushed thoroughly with clean water.
- (1) Spray nozzles, orifices, cores, or whizzers shall be washed, rinsed, and sanitized immediately after being removed.
- (2) High pressure lines shall be flushed with cool water, flushed with acceptable detergents, and rinsed with a bactericidal solution after each day's operation.
- (3) Within two hours prior to resuming operations, equipment shall be reassembled and flushed with a bactericidal solution for not less than one minute and, if other than chlorine compounds are used as sanitizing agents,

- shall be rinsed with clean water prior to placing in use.
- (4) The drier should be started on water each day prior to drying liquid eggs.
- (d) All powder, except that stabilized by glucose removal, shall be sifted through a No. 16 or finer mesh screen (U. S. Bureau of Standards) powder stabilized by removal of glucose shall be sifted through a No. 10 mesh screen, and such screens shall be replaced whenever torn or worn.
- (e) Accumulations of large particles or lumps of dried eggs shall be removed from the sifter screens continuously.
- (f) All powder except albumen shall be cooled to 85° F or below as it is discharged from the mechanical cooling unit. Powder not cooled to 85° F or lower at the time it is discharged from the cooling equipment may be immediately recirculated through the cooling unit until such time as the temperature requirement is met. When other approved methods are used to cool the powder, the temperature of the powder shall be lowered to 85° F or below within one hour after being removed from the drier. The temperature determination may be made before or after packaging.
- (g) Drying units shall be brushed down whenever they are shut down and the temperature of the drying chamber is permitted to drop to 100° F or lower, or whenever the shut-down exceeds five hours. The drier shall be washed, rinsed, and sanitized at least once each week and whenever it is to be shut down for more than 24 hours. Bags from bag collectors shall be dry cleaned or laundered at least once each month.
- (h) Powder conveyors, mechanical powder coolers, and blenders shall be cleared of product and brushed down daily and washed at least once a week. Powder sifters shall be brushed down daily.
- (i) All bag shakers, vibrators, or sweeps, on either secondary or primary chambers and/or collectors, shall be operated automatically so as to prevent powder accumulating on the walls.
- § 55.93 Spray process powder definitions and requirements—(a) Definition of product. (1) "Primary powder" is that powder which is continuously removed from the primary or main drying chamber while the drying unit is in operation.
- (2) "Secondary powder" is that powder which is continuously and automatically removed from the secondary chamber and/or bag collector chamber while the drying unit is in operation.

 (3) "Sweep-down powder" is that
- (3) "Sweep-down powder" is that powder which is recovered in the brush-down process from the primary or secondary chamber and conveyors.
- (4) "Dust-house powder" is that powder which accumulates in the dust house.
- (5) "Brush bag powder" is that powder that is brushed from the collector bags when they are removed for cleaning.
- (b) Egg powder blending. (Subparagraphs (1) (2) and (5) of this paragraph are applicable to all powder, and subparagraphs (3) and (4) of this paragraph are applicable only to whole eggs and yolks.)

- (1) The powder shall be blended uniformly throughout the operation.
- (2) Secondary powder shall be blended with primary powder continuously by mechanical means.
- (3) Approximately the first and last 175 pounds of powder from the main drier for each continuous operation shall be set aside and checked for palatability.
- (4) Only powder scoring 6½ or higher in palatability shall be eligible for identification with the inspection mark. If it scores less than 61/2 but not less than 4 it may be identified with the rectangular mark as provided in § 55.38. Powder scoring less than 6½ shall not be blended with higher scoring powder, if the resultant finished product is to be identified with the inspection mark. Palatability determinations shall be made from representative samples drawn by the USDA resident supervisor. The resident supervisor may make the tests incidental to blending; however, palatability tests and certification with respect to the finished product shall be made on the basis of samples submitted to a USDA laboratory. Sweep-down powder and powder not eligible to bear the inspection mark because of palatability less than 61/2 but not lower than 4, or in excess of 5 percent but not in excess of 8 percent moisture, may be officially identified as provided in § 55.38.
- (5) Dust-house, brush bag, and badly scorched powder and screenings, shall not be blended or officially identified.
- § 55.94 Albumen flake process drying facilities. (a) Drying facilities shall be constructed in such a manner as will allow thorough cleaning and be equipped with approved intake filters and intake thermometers.
- (b) The intake air source shall be free from excessive dust or dirt.
- (c) Premix type burners, if used, shall be equipped with approved air filters at blower intake.
- (d) Fermentation tanks, drying pans, trays or belts, scrapers, curing racks, and equipment used for pulverizing pan dried albumen, if used, shall be constructed of approved materials in such a manner as will permit thorough cleaning.
- (e) Sifting screens shall be constructed of approved materials in such a manner as will permit thorough cleaning and be in accordance with the specifications for whichever type of albumen it is desired to produce.
- § 55.95 Albumen flake process drying operations. (a) The fermentation, drying, and curing room shall be kept in a dust-free, clean condition and free of flies, insects, and rodents.
- (b) Drying units, racks, and trucks shall be kept in a clean and sanitary condition.
- (c) Drying pans, trays, belts, or scrapers, if used, shall be kept in a clean condition, including curing racks if edible product comes into contact with racks.
- (d) Oils and waxes used in oiling drying pans or trays shall be of edible quality
- (e) Equipment used for pulverizing or sifting dried albumen shall be kept in a clean condition,

- § 55.96 Drying rooms and packing room facilities (on or off premises) (a) The rooms shall be well-lighted.
- (b) Ceilings and walls shall have a surface of tile, enamel, paint, or other water-resistant material.
- (c) Floors shall be free from cracks or rough surfaces which form pockets for accumulation of water or dirt, and the intersections with walls shall be impervious to water with ample drainage provided.
- (d) All packaging equipment and accessories which come into contact with the dried product shall be constructed without open seams and of materials that can be kept clean and which will have no deleterious effect on the product. Service tables shall be of approved metal construction without open seams and all metal surfaces shall be smooth to permit thorough cleaning.
- (e) Packaging rooms shall be kept in a clean condition free of flies, insects, and rodents.
- (f) Storage racks or cabinets shall be provided for the storing of drying room and packaging room accessories and tools.
- (g) Package liners shall be inserted in a sanitary manner, and equipment and supplies used in the operation shall be kept off the floor.
- (h) Utensils used in packaging dried eggs shall be kept clean at all times and whenever contaminated shall be washed, rinsed, and sanitized. When not in use scoops, brushes, tampers, etc., shall be stored in sanitary cabinets or on racks provided for this purpose.
- (i) Automatic container fillers shall be of a type that will accurately fill given quantities of product into the containers. Scales shall be provided to accurately check the weight of the filled containers. All equipment used in mechanically packaging dried egg products shall be vacuum cleaned daily.
- § 55.97 Drued egg storage. (a) Drued egg storage shall be sufficient to adequately handle the production of the plant for a 48-hour period, and capable of maintaining temperatures in accordance with the requirements set forth herein.
- (b) Dried egg storage space shall be kept dry clean, and free from objectionable odors.
- (c) Spray process dried whole eggs and yolks shall be placed under refrigeration as soon as possible after packaging. Such products shall be placed under refrigeration at 50° F or below within 24 hours after manufacture.
- (d) Dried albumen may be stored at room temperature.

§ 55.98 Washing and sanitizing room or area facilities. (a) This room should be a separate room, well-lighted, and of sufficient size to permit operators to properly wash and sanitize all equipment at the rate required by the size of the operation. Adequate ventilation shall be provided to insure the prompt removal of odors and vapors and the air flow shall be away from the breaking room. If the washing and sanitizing room is not a separate room, it shall be an area well segregated from the break-

- ing areas and it shall be well ventilated with air movement directed away from the breaking operations so that odors and vapors do not permeate the breaking areas.
- (b) Ceiling and walls shall have a surface of tile, enamel, paint, or other water-resistant material.
- (c) Floors shall be free from cracks or rough surfaces which form pockets for accumulation of water and dirt, and intersections with walls shall be impervious to water with ample drainage provided.
- § 55.99 Washing and sanitizing requirements. The bactericidal solution referred to in the following requirements shall be a hypochlorite or other approved bactericidal solution carrying a minimum original strength of 200 p. p. m. of available chlorine or equivalent. The solution shall be changed whenever the strength of this solution drops to 100 p. p. m. of available chlorine or equivalent.
- (a) Breaking room and washing and sanitizing room floors shall be scrubbed, rinsed with clean water, and squeegeed.
- (b) Trash cans, inedible egg containers, and shell cans shall be scrubbed, rinsed with clean water, and sprayed or flushed with a bactericidal solution.
- (c) Service shelves, breaking, and service tables shall be washed, sprayed or flushed with bactericidal solution and rinsed or flushed with clean water under pressure.
- (d) Shell egg and belt egg shell conveyors shall be flushed with clean cool water under pressure, scrubbed with water containing washing compound, rinsed with clean water, and sprayed or flushed with a bactericidal solution. Wooden spool shell egg conveyors shall be cleaned in such a manner as to prevent their becoming a sanitary hazard.
- (e) Worm type egg shell conveyors shall be flushed with clean water under pressure after each shift to remove adhering egg material and shells, and shall be thoroughly cleaned and sprayed or flushed with bactericidal solution once daily
- (f) Shell egg pails, leaker trays, knives, cups, separators, spoons, trays, tray racks, liquid egg pails, scrapers, liquid egg chutes, and spray nozzles (including orifices, cores, and whizzers) shall be washed in warm water, containing washing compound, rinsed with cool or lukewarm clean water, and sanitized by immersing in a bactericidal solution for not less than one minute and drained.
- (g) Low pressure pumps, liquid egg lines, homogenizers, hashers, and preheaters shall be flushed with clean cool water, dismantled, brushed with washing compound solution, and rinsed with clean cool water. Within two hours prior to placing equipment in use it shall be reassembled and flushed with a bactericidal solution for not less than one minute.
- (h) Dump tanks, churns, clarifiers, and strainers, liquid egg cooling units, draw-off tanks, holding tanks, liquid cans or drums, tank trucks, crushers, and belts shall be flushed with clean cool water under pressure, brushed with washing compound solution, rinsed with

clean cool water, and sprayed or flushed with a bactericidal solution just prior to use.

- (i) Equipment which comes in contact with edible products shall be rinsed with clean water after it has been sanitized, if other than hyprochlorites are used as sanitizing agents.
- § 55.100 Health and hygiene of personnel. (a) Personnel facilities, including toilets, lavatories, lockers, and dressing rooms shall be adequate and meet State and local requirements for food processing plants.
- (b) Toilets and dressing rooms shall be kept clean and adequately ventilated to eliminate odors and kept adequately supplied with soap, towels, and tissues. Toilet rooms shall be ventilated to the outside of the building.
- (c) No person affected with any communicable disease (including, but not being limited to tuberculosis) in a transmissible stage, or with open sores, or cloth bandages on hands shall be permitted to come in contact with eggs in any form or with equipment used to process such eggs.
- (d) All workers coming into contact with liquid or dried eggs, containers or equipment, shall wear clean outer uniforms.
- (e) All plant personnel handling exposed edible product shall wash their hands before beginning work, and upon returning to work after leaving the work room
- (f) Expectorating, or other unsanitary practices, shall not be permitted and should be reported to the management immediately.
- (g) Use of tobacco in any form by workers shall not be permitted in rooms where edible products are exposed.
- (h) Hair nets or caps shall be properly worn by all persons employed in breaking and packaging rooms.
- § 55.101 Pasteurization of liquid whole eggs. When liquid whole eggs are pasteurized the provisions of this section shall apply
- (a) Pasteurizing facilities. Adequate pasteurizing equipment of approved construction shall be provided so that all of the liquid whole egg will be processed as provided in paragraph (b) of this section. The pasteurizing equipment shall be provided with a holding tube, an automatic flow diversion valve with attached thermal controls, and recording devices which will control the flow of egg liquid in such a manner as will accomplish pasteurization as set forth in paragraph (b) of this section and will record temperatures continuously and automatically during the process. It shall be equipped with automatic sound warning devices to indicate failure of proper operation. Refrigerated holding vats of sufficient capacity shall be provided to hold liquid eggs prior to and after pasteurization.
- (b) Pasteurizing operations. The strained or filtered liquid egg shall be flash heated to not less than 140° F and not more than 142° F and shall be held at this temperature for not less than 3½ minutes and not more than 4 minutes. The flow diversion valve shall be installed so that all liquid not meeting the

temperature requirements shall be diverted to a receiving tank and a warning given of failure to meet the temperature requirements. The sanitary pipe leading from the flow diversion valve shall be dismantled, cleaned, and sanitized and the flow diversion valve flushed with cold water if a 30-minute time interval has elapsed between use and reuse. The pasteurizing equipment shall be dismantled, cleaned, and sanitized at the end of each day's operation, and whenever there is evidence of liquid coagulation as shown by a temperature differential of 5° F., between the liquid egg temperature and the temperature of the water used in the pasteurizing equipment. If the eggs are pasteurized within 30 minutes after time of breaking, they need not be chilled to 45° F prior to pasteurization. Immediately after pasteurization the liquid eggs shall be cooled as provided in § 55.85 unless they are dried immediately.

§ 55.102 Gas packing dried whole eggs. When dried whole eggs are to be gas packed the provisions of this section shall apply.

(a) Gas packing facilities. (1) Tables, storage bins, hoppers, and conveyors of approved construction shall be provided

- (2) The gassing equipment used shall be capable of partially evacuating the air from the cans and introducing a gas mixture consisting of 80 percent by volume of nitrogen and 20 percent by volume of carbon dioxide as a replacement for the evacuated air.
- (3) The equipment used to supply the carbon dioxide and nitrogen shall have flow meters of similar devices so that there is evidence that there is 20 percent by volume of carbon dioxide and 80 percent by volume of nitrogen being delivered.
- (4) Metallic storage tanks for powder not canned directly from the drying unit shall be provided.
- (5) Containers used for canning shall have the inside surfaced with acceptable lacquer or tin finish. The construction of the containers shall be such as to effect a complete seal upon completion of the canning operation.
- (b) Gas packing operations. (1) Product from the drying unit shall be sifted and canned continuously unless it is stored temporarily in a storage tank.
- (2) The product shall be cooled to 85° F at time of canning or temporary storage.
- (3) Following temporary storage in the tank the dried product shall be resifted in accordance with § 55.92 (d) prior to gas packing.
- (4) Oxygen determination stall be in accordance with the Orsat method as described in Scott's "Standard Methods of Chemical Analysis," 5th Edition (1939) and shall be made on an empty can immediately after sealing operations. The empty can shall be processed through the gassing chamber in the same manner as a can filled with finished product.
- (5) Containers and lids used in canning shall be free of carbon dust, lint, oil, or other foreign material.
- (6) Can filling shall be effected with as little powder spillage as possible.

(7) Conveyors, hoppers, scrapers, and canning equipment shall be thoroughly cleaned after each shift.

SUBPART B-FORMS AND INSTRUCTIONS

APPLICATION FOR GRADING SERVICE

§ 55.122 Application for grading service with respect to egg products. Application is hereby made, in accordance with the applicable provisions of the regulations (Part 55 of this chapter) governing the grading and inspection of egg products, for sampling, grading, and inspection service to be performed at the plant hereinafter designated:

(Name of plant) (Street address)
(City and State)

- (a) Upon approval of this application by the Agricultural Marketing Service, United States Department of Agriculture (hereinafter referred to as "AMS") AMS will furnish grading service in accordance with the terms and conditions hereof.
- (b) In making this application, the applicant agrees to comply with the terms and conditions of the aforesaid regulations (including such applicable instructions as may be issued from time to time by the Administrator) and such other conditions as hereinafter enumerated.
- (c) The applicant agrees to pay for the full cost of the grading service covered hereby to AMS at the time the respective invoices are rendered by AMS. The full costs shall comprise such of the following items as may be due and may be included, from time to time, in the invoice or invoices covering the period or periods during which the grading service may be rendered:
- (1) A charge of \$75.00 for the initial survey and examination of blueprints of the designated plant and its premises prior to the performance by the Service of the grading service covered hereby.
- (2) A charge of \$100.00 for the final survey and inauguration of the grading service including the assignment of one grader and one alternate grader provided they are installed at the same time:
- (3) A charge of \$50.00 for each additional grader or replacement of a previously assigned grader to the designated plant: *Provided*, That in the sole discretion of the Service no such charge will be made for a temporary replacement when such replacement is made by the use of a regular employee of the Service, or when the replacement is made necessary by the transfer of an employee of the Service for the sole benefit of the Service;
- (4) A charge equal to the salary costs paid to each grader assigned to the applicant's plant by AMS, including earned annual leave and, if necessary, earned sick leave: Provided, That, no charge is to be made for salary costs of any assigned grader of the designated plant while temporarily reassigned by AMS to perform grading service for other than the applicant, except when the assigned grader is performing inspections for the Department of Defense on products accepted for delivery by the

applicant to the Department of Defense, in which case the applicant will be given credit for the service rendered based on a formula concurred in jointly by the Departments of Defense and Agriculture.

(5) A charge equal to the salary costs, travel expenses, and per diem paid by AMS to any grader whose services are required for relief purposes when regular graders are on annual or sick leave;

(6) A charge for the actual cost to AMS of any travel and per diem incurred by each grader assigned to the plant while in the performance of grading service rendered the applicant;

(7) A charge, at the sole discretion of AMS, of an amount not in excess of the actual cost to AMS of the travel (including the cost of movement of household goods and dependents) and per diem with respect to each grader who is transferred from an official station to the designated plant;

(8) A charge included in salary costs equal to the Employer's tax imposed under the United States Internal Revenue Code (26 U.S.C.) for Old Age and Survivor's benefits under the Social Security System.

(9) An administrative service charge based upon the aggregate weight of the total monthly volume (based on the weight of liquid egg and weight of dried egg converted to liquid egg) of all egg products handled in the plant, and computed in accordance with the following table:

COMPUTATION OF ADMINISTRATIVE SERVICE CHARGES

0 to 20,000 pounds	\$25.00
20,001 to 100,000 pounds	38.00
100,001 to 150,000 pounds	42.75
150,001 to .200,000 pounds	47. 50
200,001 to 250,000 pounds	52. 25
250,001 to 300,000 pounds	57 . 00
300,001 to 400,000 pounds	61.75
400,001 to 500,000 pounds	66. 50
500,001 to 600,000 pounds	71.25
600,001 to 700,000 pounds	76.00
700,001 to 800,000 pounds	80.75
800,001 to 900,000 pounds	85.50
900,001 to 1,000,000 pounds	90. 25
1,000,001 pounds and over	95.00

(10) A charge of \$4.00 per hour plus actual costs to AMS for per diem and travel costs incurred in rendering services not specifically covered by this contract; such as, surveys in addition to the initial and final, and

(11) A charge equal to 7 percent of the salary paid by AMS to each grader exclusive of one regular grader whose salary is paid by AMS.

(d) The applicant shall designate, in writing, the employees of the applicant who will be required and authorized, to furnish each grader with such information as may be necessary for the performance of the grading service.

It is agreed that:

(a) AMS will provide an adequate number of graders to perform the grading service covered hereby;

(b) At the sole discretion of AMS the graders may be either a Federal or State employee or a licensed employee of the applicant:

(c) AMS shall not be responsible for damage accruing through any acts of commission or omission on the part of any grader:

(d) The provisions hereof shall continue in full force and effect from its effective date until suspended, withdrawn, or terminated, by (i) mutual consent of the applicant and AMS, (ii) written notice given by either party to the other to take effect on a specific date not less than 30 days from the date of the giving of such notice; (iii) one (1) day's written notice by AMS to the applicant, if the applicant fails to honor any invoice within thirty (30) days after date of invoice covering the cost of the grading service as herein provided; or (iv) termination of the services requested herein pur suant to the provisions in the following paragraph (e)

(e) The services to be rendered hereunder shall be terminated by AMS at any time AMS, acting pursuant to any applicable laws, rules, or regulations, debars the applicant from receiving any further benefits of the service, or the services hereunder may be suspended or terminated at any time AMS concludes that the applicant has not conformed, or cannot conform, hereto;
(f) All terms used herein shall have the

same meaning as when used in the aforesaid regulations and instructions;

(g) A federally employed grader will be required to confine his activities to those duties necessary in the rendering of grading service and such closely related activities as may be approved by AMS: Provided, That, in no instance will the federally employed grader assume the duties of management;

(h) No member of or Delegate to Congress or Resident Commissioner, shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom unless derived through the agreement made with a corporation for its general benefit.

(i) Special provisions and limitations:

	(App	licant)
	(St	reet)
	(City)	(State)
Approved:	(D	ate)
	(Title)	
	(Date)	

AGRICULTURAL MARKETING SERVICE, U. S. DEPARTMENT OF AGRICULTURE.

SUBPART C-OFFICIAL UNITED STATES STANDARDS FOR PALATABILITY SCORES FOR DRIED WHOLE EGGS

§ 55.125 Preparation of samples for palatability test. Reconstitute 30 grams of dried whole egg powder as completely as possible with 90 grams of distilled water in a 250 to 400 ml. pyrex beaker by adding a third of the water, mixing until smooth and then adding the remainder of the water slowly while stirring. Place the beaker in gently boiling water and stir the reconstituted egg while coagulation takes place. When coagulated to the consistency of scrambled eggs, the sample is ready for palatability test.

§ 55.126 Palatability scores for dried whole eggs. The palatability score of the prepared sample shall be determined by a panel of officially qualified graders of dried eggs of the Agricultural Marketing Service, and shall be rated in accordance with the following table:

Description of quality Score: 8--- No detectable off flavor, comparable to high quality fresh shell egg.

Score: Description of quality

7½ -- Very slight off flavor.

7____ Slight but not unpleasant off flavor. 61/2 -- Definite but not unpleasant off flavor.

6____ Pronounced off flavor (slightly unpleasant).
5____ Unpleasant off flavor.

4____ Definite unpleasant off flavor.

3____ Pronounced unpleasant off flavor.

2____ Repulsive flavor.

1___ Definite repulsive flavor. 0____ Pronounced repulsive flavor.

Issued at Washington, D. C., this 8th day of February 1955.

ROY W LENNARTSON, [SEAL] Deputy Administrator Agricultural Marketing Service.

[F R. Doc. 55-1215; Filed, Feb. __, 1955; ___ a. m.}

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 11237]

OPERATION OF LOW POWER TELEVISION **BROADCAST STATIONS**

CORRECTED NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of Part 3 of the Commission's rules and regulations concerning television broadcast service to authorize the operation of low power television broadcast stations; Docket No. 11237.

1. On December 17, 1954, the Commission issued a notice of proposed rule, making (FCC 54-1542; 19 F R. 8817) in the above-entitled matter proposing to amend § 3.614 (a) of the Commission's rules. Comments with respect to the proposal are required to be filed by February 25, 1955, with replies thereto to be filed within 15 days from that date.

2. In the notice of proposed rule making published at 19 F R. 8817 the Commission stated that it proposed to amend § 3.614 (a) by providing that the minimum visual effective radiated power in db above 1 kilowatt (dbk) for communities of under 50,000 population be reduced to -10 dbk (100 watts) However, in setting forth the proposed text of the new rule, the Commission erroneously stated that the minimum visual effective radiated power in db above 1 kilowatt (dbk) for the antenna height shown for communities with populations between 50,000 and 250,000 is 3 dbk (2 kw) at an antenna height of 300 feet. The rule presently provides that this figure should be 3 dbk (2 kw) at an antenna height of 500 feet, and the Commission is not proposing to amend this portion of the rule. Accordingly the Commission's notice should be corrected so that the figure for cities with populations of 50,000-250,000 reads: "3 dbk (2 kw)/500 ft. antenna.

Adopted. February 7, 1955.

Released: February 8, 1955.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] MARY JANE MORRIS.

Secretary.

[F R. Doc. 55-1268; Filed, Feb. 11, 1955; 8:51 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Order 584]

WASHINGTON STAFF OFFICERS

DELEGATION OF AUTHORITY IN CONNECTION WITH APPEALS TO THE DIRECTOR

FEBRUARY 4, 1955.

SECTION 1. Authority of Staff Officers. Pursuant to the authority and subject to the limitation contained in Order No. 2583 of the Secretary of the Interior, the Washington Staff Officers are authorized within their functional responsibilities to sign decisions involving appeals to the Director filed pursuant to 43 CFR Part 221 when such appeals involve only land status or classification. Decisions involving all other matters and decisions involving new or novel questions or of unusual interest shall be signed by the Director or the Associate Director.

SEC. 2. Legal review. An informal legal opinion or formal legal review may be obtained from the Office of the Solicitor when such advice or review is neces-However, when an informal opinion is obtained formal legal review shall be secured before signature. All decisions prepared for the signature of the Director or Associate Director will be reviewed by the Solicitor's Office prior to signature.

SEC. 3. Revocation. Bureau Order No. 473 of August 27, 1952, is hereby revoked.

EDWARD WOOZLEY,

Director

[F R. Doc. 55-1246; Filed, Feb. 11, 1955; 8:46 a. m.]

Bureau of Reclamation

[Commissioner's Order 39]

ASSISTANT COMMISSIONERS

REDELEGATION OF AUTHORITY WITH RESPECT TO CERTAIN DUTIES AND FUNCTIONS

FEBRUARY 8. 1955.

SECTION 1. Authority. The Assistant Commissioners, each with respect to the activities specified in this section, are authorized, except as provided in section 2 of this order, to perform the functions and exercise the authority now or hereafter delegated to the Commissioner of Reclamation by Secretary's Order No. 2765 (19 F R. 5004) and amendments thereof:

- (a) The Assistant Commissioner and Chief Engineer, with respect to:
- (1) Technical aspects of project investigation and of the formulation of project plans;
 - (2) Design and construction.
- (3) Technical, engineering, and operational management aspects of the operation and maintenance of projects. including river regulation; and
- (4) Engineering and related technical research and materials testing.

No. 31-4

(b) The Assistant Commissioner for Irrigation and Power, with respect to:

(1) Project development, except technical aspects of project investigation and of the formulation of project plans;

- (2) Project operation, except the technical, engineering, and operational management aspects thereof;
- (3) The negotiation and administration of contracts with water users:
- (4) The marketing of electric power and energy and
- (5) The withdrawal and restoration of public lands, and real-estate activities in the acquisition, management, and disposal of acquired lands.
- (c) The Assistant Commissioner for Administration, with respect to administrative activities.

SEC. 2. Limitations. Excepted from section 1 of this order is authority to:

- (a) Act on behalf of the Secretary of the Interior in the submission of his proposed reports or other documents to affected States and other Federal agencies for their views and recommendations, in compliance with the Flood Control Act of December 22, 1944 (58 Stat. 887, 888; 33 U. S. C. 701-1 (c)) and the Coordination Act of August 14, 1946 (60 Stat. 1080)
- (b) Determine the necessity for certification by the Secretary of the Interior as to the adequacy of soil surveys and land classification, and as to the productivity of land, as a condition precedent to the initiation of construction:
- (c) Submit the report of the Commissioner of Reclamation to the Secretary of the Interior on feasibility plans for proposed projects and on proposed changes in such plans;
- (d) Approve for the Bureau of Reclamation or the Department of the Interior major reports which may establish future courses of Bureau action, such as basin and similar reports;
- (e) Approve for the Commission definite plan reports and major revisions of such reports;
- (f) Approve farm unit plats, and supplemental survey plats:
- (g) Approve reclassifications of lands; ٥r
 - (h) Write off project costs.

Sec. 3. Revocations. Section 1.2 of Commissioner's Memorandum No. 58 is revoked.

> W A. DEXHEIMER, Commissioner

[F R. Doc. 55-1247; Filed, Feb. 11, 1955; 8:47 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 6635]

WEST COAST AIRLINES, INC., SECOND WEST COAST CERTIFICATE RENEWAL CASE

NOTICE OF POSTPONEMENT OF PREHEARING CONFERENCE

In the matter of the application of West Coast Airlines, Inc., for renewal on a permanent or further temporary basis

of its certificate of public convenience and necessity for route No. 77.

Notice is hereby given that the prehearing conference in the above-entitled proceeding now assigned for February 10 is postponed to March 1, 1955, 10:00 a. m., e. s. t., Room 1018, Temporary Building No. 4, Seventeenth and Constitution Avenue NW., Washington, D. C., before Examiner Paul N. Pfeiffer.

Dated at Washington, D. C., February 9, 1955.

[SEAL] THOMAS L. WRENN, Assistant Chief Examiner

[F R. Doc. 55-1271; Filed, Feb. 10, 1955; 12:33 p. m.]

FEDERAL POWER COMMISSION

[Docket Nos. E-6350, E-6445]

CONSOLIDATED GAS ELECTRIC LIGHT AND POWER CO. OF BALTIMORE ET AL.

NOTICE OF ORDER ALLOWING SERVICE AGREEMENTS TO TAKE EFFECT

FEBRUARY 8, 1955.

In the matters of: Consolidated Gas Electric Light and Power Company of Baltımore v. Pennsylvanıa Water & Power Company, Respondent, Public Service Commission of Maryland, Intervenor, Docket No. E-6445 Public Service Commission of Maryland v. Pennsylvania Water & Power Company, Susquehanna Transmission Company of Maryland, Safe Harbor Water Power Corporation, Consolidated Gas Electric Light and Power Company of Baltimore. Metropolitan Edison Company Pennsylvania Power & Light Company and Philadelphia Electric Company Respondents, Pennsylvania Public Utility Commission, Intervenor, Docket No. E-6350.

Notice is hereby given that on December 29, 1954, the Federal Power Commission issued its order adopted December 29, 1954, allowing service agreements to take effect in the above-entitled matters.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1251; Filed, Feb. 11, 1955; 8:47 a. m.]

[Docket No. E-6587]

SOUTHERN UTAH POWER CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF SHORT-TERM PROMISSORY NOTE

FEBRUARY 8, 1955.

Notice is hereby given that on January 4, 1955, the Federal Power Commission issued its order adopted December 29, 1954, authorizing issuance of shortterm promissory note in the aboveentitled matter.

[SEAL]

LEON M. FUQUAY. Secretary.

[F R. Doc. 55-1256; Filed, Feb. 11, 1955; 8:49 a. m.]

[Docket No. E-6589]

DUKE POWER CO.

NOTICE OF SUPPLEMENTAL ORDER AUTHOR-IZING ISSUANCE OF FIRST MORTGAGE BONDS

FEBRUARY 8, 1955.

Notice is hereby given that on January 11, 1955, the Federal Power Commission issued its order adopted January 10, 1955, authorizing issuance of first mortgage bonds in the above-entitled matter.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1252; Filed, Feb. 11, 1955; 8:48 a. m.]

[Docket No. E-6591]

CONNECTICUT RIVER POWER CO. AND NEW ENGLAND POWER CO.

NOTICE OF ORDER APPROVING AND DIRECTING ACCOUNTING ADJUSTMENTS AND AUTHOR-IZING ACQUISITION AND MERGER OF FA-CILITIES

FEBRUARY 8, 1955.

Notice is hereby given that on January 4, 1955, the Federal Power Commission issued its order adopted December 31, 1954, approving and directing accounting adjustments and authorizing acquisition and merger of facilities in the above-entitled matters.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1257; Filed, Feb. 11, 1955; 8:49 a. m.]

[Docket No. G-2404]

KANSAS-NEBRASKA NATURAL GAS CO., INC.
NOTICE OF ORDER APPROVING PROPOSED
SETTLEMENT AND ACCEPTING REVISED
TARIFF

FEBRUARY 8, 1955.

Notice is hereby given that on January 4, 1955, the Federal Power Commission issued its order adopted December 29, 1954, approving proposed settlement and accepting revised tariff in the above-entitled matter.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1258; Filed, Feb. 11, 1955; 8:49 a. m.]

[Docket Nos. G-2486, G-3847, G-3848, G-4325]

IROQUOIS GAS CORP ET AL.

NOTICE OF FINDINGS AND ORDER

FEBRUARY 8, 1955.

In the matters of Iroquois Gas Corporation, Docket No. G-2486 Jackie Grubb Ankenman, and Husband Wayne D. Ankenman, Docket No. G-3487 Naomi S. Grubb, Docket No. G-3848; Shell Oil Company Docket No. G-4325.

Notice is hereby given that on January 12, 1955, the Federal Power Commission issued its findings and order adopted January 5, 1955, issuing certificates of

public convenience and necessity in the above-entitled matters.

eal] Leon

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1253; Filed, Feb. 11, 1955; 8:48 a. m.]

[Docket No. G-2505]

NORTHERN NATURAL GAS CO.

NOTICE OF ORDER ALLOWING PROPOSED RATE SCHEDULES TO BECOME EFFECTIVE

FEBRUARY 8, 1955.

Notice is hereby given that on January 7, 1955, the Federal Power Commission issued its order adopted January 5, 1955, allowing proposed rate schedules to become effective upon filing of undertaking to assure refunding of excess charges in the above-entitled matter.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1254; Filed, Feb. 11, 1955; 8:48 a. m.]

[Docket No. G-3175]

PHILLIPS PETROLEUM CO.

NOTICE OF ORDER TERMINATING PROCEEDING IN PART

FEBRUARY 8, 1955.

Notice is hereby given that on January 5, 1955, the Federal Power Commission issued its order adopted December 29, 1954, in the above-entitled matter, terminating proceeding herein insofar as it relates to the suspension of Supplement No. 8 to Phillips' FPC Gas Rate Schedule No. 18.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1259; Filed, Feb. 11, 1955; 8:49 a. m.]

[Docket Nos. G-5470-G-5474]

EAST TENNESSEE NATURAL GAS CO.

NOTICE OF ORDERS MAKING EFFECTIVE PROPOSED TARIFF CHANGES

FEBRUARY 8, 1955.

In the matters of East Tennessee Natural Gas Company Docket No. G-5470. Alabama-Tennessee Natural Gas Company Docket No. G-5471, Tennessee Natural Gas Lines, Inc., Docket No. G-5472; Lake Shore Pipe Line Company Docket No. G-5473 Hope Natural Gas Company Docket No. G-5474.

Notice is hereby given that on January 7, 1955, the Federal Power Commission issued its orders adopted January 5, 1955, making effective proposed tariff changes upon filing of undertaking to assure refund of excess charges in the above-entitled matters.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1255; Filed, Feb. 11, 1955; 8:48 a. m.]

[Project Nos. 1904, 2077]

CONNECTICUT RIVER POWER CO. AND NEW ENGLAND POWER CO.

NOTICE OF ORDER APPROVING TRANSFER OF LICENSES (MAJOR)

FEBRUARY 8, 1955.

In the matters of Connecticut River Power Company Project No. 1904, and New England Power Company, Project No. 2077.

Notice is hereby given that on January 4, 1955, the Federal Power Commission issued its order adopted December 31, 1954, approving transfer of licenses (Major) in the above-entitled matters,

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1260; Filed, Feb. 11, 1955; 8:49 a. m.]

[Project No. 2177]

GEORGIA POWER CO.

NOTICE OF APPLICATION FOR PRELIMINARY PERMIT

FEBRUARY 8, 1955.

Public notice is hereby given that Georgia Power Company of Atlanta, Georgia, has filed application under the Federal Power Act (16 U.S. C. 791a-825r) for preliminary permit for proposed waterpower Project No. 2177 to be located on the Chattahoochee River in Lee County Alabama, and Muscogee County, Georgia, and to consist of a gravity type concrete dam a short distance upstream from Columbus, Georgia, a reservoir extending about 8.5 miles upstream to the applicant's existing Goat Rock hydroelectric development; a powerhouse with an initial installation of about 65,000 horsepower and appurtenant mechanical and electrical facilities. The pre-liminary permit, if issued, shall be for the sole purpose of maintaining priority of application for a license under the terms of the Federal Power Act for the proposed project. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10) the time within which such petitions must be filed being specified in the rules. The last date upon which protests may be filed is March 17, 1955. The application is on file with the Commission for public inspection.

[SEAL]

LEON M. FUQUAY, Secretary.

[F R. Doc. 55-1261; Filed, Feb. 11, 1955; 8:50 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11146; FCC 55M-108]

BLACKHAWK BROADCASTING CO., INC. (WSDR)

ORDER CONTINUING HEARING

In re application of Blackhawk Broadcasting Company, Inc. (WSDR), Ster938 NOTICES

ling, Illinois, Docket No. 11146, File No. BP-9258; for construction permit.

The Commission having under consideration a petition filed on January 31, 1955 by Blackhawk Broadcasting Company Inc., requesting a continuance herein:

It appearing that all parties have consented to a 30-day continuance of the hearing and to immediate consideration of the petition;

It further appearing that good cause has been shown for the continuance; that, due to previous commitments in the Examiner's present hearing schedule, it is not feasible to schedule the prehearing conference and hearing on the dates suggested; and that a further order should be issued subsequently when the Examiner's hearing schedule permits the rescheduling of conference and hearing dates;

It is ordered, This 3d day of February 1955, that (1) the date for the exchange of the direct case of Blackhawk Broadcasting Company, Inc., is extended from February 3 to March 7, 1955, (2) the further prehearing conference and hearing, now scheduled for February 11 and 23, 1955, respectively are continued without date; and (3) the petition is granted to the extent indicated.

Federal Communications Commission,

[SEAL] MARY JANE MORRIS,

Secretary.

[F R. Doc. 55-1248; Filed, Feb. 11, 1955; 8:47 a. m.]

[Docket No. 11241; FCC 55M-114]

CUMBERLAND VALLEY BROADCASTING Co., INC. (WBMC)

ORDER CONTINUING HEARING

In re application of Cumberland Valley Broadcasting Company, Inc. (WBMC) McMinnville, Tennessee, Docket No. 11241, File No. BP-9445, for construction permit.

The Commission having under consideration a motion filed on February 4, 1955, on behalf of Cumberland Valley Broadcasting Company Inc. (WBMC) requesting that the hearing now scheduled to be held on February 7, 1955, in the above-entitled proceeding, be continued for one week, to February 14, 1955; and

It appearing that at a pre-hearing conference in the said proceeding, held on January 26, 1955, counsel for Mc-Minnville Broadcasting Company Inc., and Williamson County Broadcasting Company Inc., stated on the record that these parties did not intend to further prosecute their protests against the grant of the above-entitled application and would take no further part in the said proceeding; and

It further appearing that counsel for Cumberland Valley Broadcasting Company Inc., then announced that a petition would be filed as soon as possible requesting the Commission to dismiss the proceeding without a formal hearing and to affirm its grant of its above-entitled application, and

It further appearing that due to the press of other matters it has been impossible for the petitioner herein to prepare and file its proposed petition prior to February 7, 1955, requesting the dismissal by the Commission of the hearing on its application and its affirmation of the grant previously made thereon, and that such petition will be filed in the near future but that it cannot be predicted at this time when the Commission will act thereon; and

It further appearing that counsel for the Chief of the Broadcast Bureau, the only remaining interested party in the said proceeding, has consented to immediate consideration and favorable action on the motion under consideration,

It is ordered, This 4th day of February 1955, that the above motion be, and it is hereby granted in part, and that the hearing in the above-entitled proceeding is hereby continued without date.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,

Secretary.

[F R. Doc. 55-1249; Filed, Feb. 11, 1955; 8:47 a. m.]

[Docket No. 11163; FCC 55M-128]

VILLAGE BROADCASTING CO. (WOPA)

ORDER CONTINUING HEARING

In the matter of Richard Goodman, Mason Loundy and Egmont Sonderling, a partnership doing business as Village Broadcasting Company (WOPA) Oak-Park, Illinois, Docket No. 11163; File No. BP-9271, for construction permit.

It appearing in the above-entitled matter that the first pre-hearing conference held on February 7, 1955, and the hearing now scheduled to commence at 10 o'clock a. m., March 8, 1955, shouldbe continued pending action by the Commission upon the supplemental Petition for Reconsideration and Grant without hearing filed February 1, 1955 by the applicant herein, that counsel for the Broadcast Bureau of the Commission (the only other party to this proceeding besides the applicant herein) has no objection to such continuances which would conduce to the dispatch of the Commission's business and to the ends of nustice:

It is ordered, This 7th day of February 1955, that said first pre-hearing conference is continued to 10 o'clock a.m. March 1, 1955 and the hearing in the above-entitled matter is continued to 10 o'clock a.m. March 15, 1955.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,

Secretary,

[F R. Doc. 55-1269; Filed, Feb. 11, 1955; 8:51 a.m.]

[Docket No. 11267]

DAVID J. LEWIS

ORDER DESIGNATING MATTER FOR HEARING
ON STATED ISSUES

In the matter of David J. Lewis, 1011 Davis Street, Elmira, New York, suspension of restricted radiotelephone operator permit; Docket No. 11267.

The Commission having under consideration the suspension of a Restricted Radiotelephone Operator Permit issued to David J. Lewis, 1011 Davis Street, Elmira, New York; and

It appearing that acting in accordance with the provisions of section 303 (m) (2) of the Communications Act of 1934, as amended, David J. Lewis filed with the Commission within the time provided therefor an application requesting a hearing on the Commission's order of November 30, 1954 suspending for a period of one year his Restricted Radiotelephone Operator Permit No. RP-20-37841, and

It further appearing that under the provisions of section 303 (m) (2) of the Communications Act of 1934, as amended, the said licensee is entitled to a hearing in the matter, and that, upon the filing of a timely written application therefor, the Commission's order of suspension is held in abeyance until the conclusion of the proceedings in the said matter.

It is ordered, That the matter of the suspension of the radio operator permit of David J. Lewis is hereby designated for hearing in the Commission's offices, 12th & Pennsylvania Avenue NW., Washington 25, D. C. at 10:00 a. m., March 21, 1955.

(1) To determine whether David J. Lewis has obtained by fraudulent means an operator's license; and

(2) If the licensee did obtain a license by fraudulent means to determine whether the facts or circumstances in connection therewith would warrant any change in the Commission's order of suspension

It is further ordered, That a copy of this order be transmitted by Registered Mail, Return Receipt Requested, to David J. Lewis, 1011 Davis Street, Elmira, New York

Dated. February 7, 1955.

Released. February 8, 1955.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,

Secretary.

[F R. Doc. 55-1270; Filed, Feb. 11, 1955; 8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

FEBRUARY 1955 DOMESTIC AND EXPORT SALES LISTS

Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F R. 6669) and subject to the conditions stated therein, the following commodities are available for sale in the quantities stated and on the price basis set forth:

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List
PRICE
EXPORT
1955
FEBRUARY

FRBRUARY 1955 DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Export sales list	Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Dairy products: Cheddar cheese,1 cheddars, flats, twins and rindless blocks (standard moisture basis in carload lots only) 335,000,000 pounds Noniat dry milk solids; (in carload lots only) carload lots only) spray carload.	F a s U.S. port of export, or in store 3 at location of stocks at f a s price less export freight rate to agreed port of export U.S. Grade A. 25,5 cents per pound basis port of export U.S. Grade B. 24 5 cents per pound basis port of export Spray process: 11 75 cents per pound basis port of export Roller process: 10	Nonfat dry milk solids ¹ (in car load lots only) 86,000 000 pounds spray; 12 000 000 pounds, roller For animal and poultry feed	Spray process, U. S. Extra Grade, 17 cents per pound. Roller process, U. S. Extra Grade 15 25 cents per pound Prices apply "in store" at locations of stocks 1 111½ cents per pound delivered in North Dakota, South Dakota Nebraska, Kanasa, Miscouri, Iowa, Minesota, Wiscousin Illinois, Indiana Ohio, and Michigan 121½ cents per pound delivered in all other States and in the District of Columbia Sales to be made under Announcement LD-14 and Supplements of Columbia and Colu
21,000,000 pounds Salted creamery butter! (in carload lotsonly) 260 000 pounds 10 000 000 pounds	U. S. Grade A: Not less than 41 cents per pound basis port of export Grade B: Not less than 39 cents per pound basis port of export Competitive bid basis in accordance with Announcement L.D7 Offers to be considered each Monday until sold or program is terminated. Any of the above commodities are available through the Livestock and Dairy	Salted creamery butter (in car load lots only) 250 000 000 pounds Cheddar cheese I cheddars, flats,	A Grade A and higher: 61 25 cents per pound. New York, New Jersey, Pennsylvania, New England and other States bordering the Atlantic Ocean and Gulf of Mexico. All other States 60 5 cents per pound U S Grade B1. Seents per pound less than Grade A prices. Prices apply "in store" at location of stocks ¹ Available Cincinnati and Port land CSS Commodity offices. U. S Grade A and higher: 38,4 cents per pound for New York New Jersey,
Dry whey 114 000 000 pounds Corn bulk 1	Division, CSS, USDA, Washington 25, D C Written bid basis in accordance with Announcement LD-12 Available Cin clinati CSS Commodity Office reference of the commodity of the com	twins, and rindless bloo (standard moisture basis in c load lots only) 335 000 (pounds	Pemsylvania New England and other States bordering the Atlantic and Pacific Ocean and Gulf of Mexico All other States 35¼ cents per pound U. S. Grace B: 1 cent per pound less than Grade A prices All prices are subject to usual adjustment for moisture content Prices, apply, "in store", at logation of stocks? A realiable Cincinnati and
Rye 1 Oats 1	Commodity Offices. Offerings may be made on a written competitive bid basis as announced from time to fine by the Minneapolis CSS Commodity Office Sales made under P L 480 may be made on the basis of a special announcement offerings may be made on a written competitive bid basis as announced from time to time by the Minneapolis CSS Commodity Office Sales made under	rry whey 1 31,000,000 pounds rry whey product 659 000 pour ottonseed oil crude 1 (as avi able)	Portland USS Commodity Offices 6 75 cents per pound "in store" at location of stocks. 7 5 cents per pound "in store" at location of stocks. 7 5 cents per pound "in store" at location of stocks. 8 Above products available through the Cincinnati CSS Commodity Office. Market price but not less than 15 cents per pound prime Valley basis, f o b tankcars or tankwagons at producers' mills subject to premiums or dis
Grain sorghums bulk 1 Wheat bulk 1	P. L. 460 may be made on the basis of a special aumonomement. Offerings may be made on a written competitive bid basis as announced from time to time by the Dallas CSS Commodity Office. Sales made under P. L. 480 may be made on the basis of a special aumonomement. Sales made for export pursuant to Amnouncement GR 261 and 262 at prices amonomed daily. Available Dallas, Chicago Kansas City Minneapolis and Portland CSS Commodity Offices.	ottonseed oil refined ¹ 250 00 000 pounds	counts comparable to those in Bulletin S of the 1884 crop octonssed prices support program. Price will not be reduced during period ending August 31, 1855. Available New Orleans CSS Commodity Office. Market price but not fess than the minimum crude price with appropriate adjustments for refining, location, and quality f o b tankcars or tankwagons at points of storage locations. Price will not be reduced during period ending August 31, 1865. A vailable New Orleans CSS Commodity Office and Oils
Barley 1	Sales also made for delivery at U. S. ports under GR 212 at market price at time of sale at points of fellvery. Sales may be made for export of wheat as flour Available Dallas. Chieces and Portland CSS Commodity Offices. Officers may be made on a written competitive bid basis as announced from time to the Minneapolis and Portland CSS Commodity Offices. Sales made under P. L. 480 may be made on the basis of a special announcement.	ung oil (limited quantities announced) live oil edible 6 341 drums	and Peanut Division CSS, USDA, Washington 25 D C Competitive bid basis as may be announced by the Cincinnati CSS Com modity Office. Announced offerings will be subject to the terms and con ditions of CT-OP-5. Available Cincinnati CSS Commodity Office Market price on date of sale, but not less than \$20 open gallon f ob. cars or trucks, San Francisco, pursuant to the Sales Announcement FO-PD-5.
Pinto beans ! (1953 crop, bagged) 140 000 hundredweight	\$7.25 per 100 pounds U S. No I grade, basis I a s. port or delivered border, as follows: A valiable Portland for shipment to West Coast ports (CCC's option) and Mexico border points, Nogeles and West, available Minneapolis CSS Commodity Office for shipment to West Gulf ports and Mexican border points, asst of Nogeles	inseed oil raw 1 58 000 i pounds	Supplements 2 and 3 to FO-PD-5. (The provisions of Supplement 1 are inapplicable) Available Portland CSS Commodity Office Market price on date of sale, but not less than equivalent of the 1954 price support for flaxeed. No change in pricing policy during the period ending July 31, 1955. Available Cincinnati CSS Commodity Office
Cotton 1 805 000 bales	U.S. No. 2 grade—25 cents discount. Sakes of oction will be made buly against sales made under the provisions of the Agricultural Trade Development and Assistance Act (P. L. 480 83d Congress) as announced by the New Orleans CSS Commodity Office, Jan. 25, 1955 (CCC Announcement No.C—4, at prices not less than of the current support price plus reasonable carrying charges. Offerings to be made each Thursday The first offerings will be Feb. 3, 1955, at 4.55 p. m. (c. 5 t). Catalog showing quantities qualities and locations.	ool, shorn and pulled, grease (cluding some scoured) 110 00 000 pounds ry edible beans (bagged)	Prices as determined by the Boston CSS Commodity Office reflecting not less than 103 percent of the 164 schedule of loan rates per pound plus an allow ance for sales commission. Boston basis adjusted for net freight on wood stored outside the Boston storage area. This policy will remain in effect through May 31, 1955. Sales will be made as warehouse where stored. Avail able Boston CSS Commodity Office. Prices listed below, on all beans, are at point of production. Amount of paid in freight to be added as applicable. For other grades of all beans, adjust by market differentials
Cottonseed oil crude 1 (as avail able) Cottonseed oil, refined 1 (limited quantities as amounced)	and other pertuent information may be procured from the New Orleans CSS Commodity Office at a nominal fee. Competitive bid basis as amounteed by the New Orleans CSS Commodity Office. Announced offerings are subject to the terms and conditions of NO-CS-9. Available New Orleans CSS Commodity Office. Competitive bid basis as amounteed by the New Orleans CSS Commodity Office. In addition, domestic processors may submit bids at any time when the oil purchased is to be further processed into a finished product for export Announced offerings we subject to the terms and conditions of NO CS-9.	Jarge nime beans (1950 cro 35,000 bundredweight Pinto beans (1953 cro 140 000 bundredweight um rosin, (in galvanized me drums averaging 517 poun net) 668 000 drums	and a property of the product of the product of the product tion a validable Portland (SS Commodity Office tion Available Portland (SS Commodity Office St 49 per 100 pounds for U S No 1, f. o. p. points of production, Southern Idaho rate area. For other areas adjust by 1964 support price differentials Avail able Minnespolis and Portland CSS Commodity Offices and ecceptance basis, 'asis' in the stated quantities and on the designated storage yards an buject to the prices, terms and conditions of Announcement TB-21 and Supplements thereowhich will be issued from time to time but not more often than weekly. Available through the American Turpentine
Linseed oil, raw ! (limited quan tities as announced)	Available New Orleans CSS Commodity Office Competitive bid besis as amounced by the Cinciunali CSS Commodity Office Amounced offerings are subject to the terms and conditions of CT-OP-4 Available Cincinnati CSS Commodity Office	um turpentine, bulk, in tan 57 000 barrels (50 gallons each	Farmers' Association Cooperative, Vaidosta, Ga. Offer and acceptance basis''s sis' in the stated quantities and in the designated storage tanks, subject to the prices, terms and conditions of Amouncement TB-21 and Supplements thereto which will be issued from time to time but not more often than weekly Available, through the American
1/These same jots also are availal quantity available is indefinite 1 "In store" means at the process for the benefit of the buyer	¹ These same lots also are available from the domestic list announced today Where no quantity is specified quantity available is indefinite ¹ "In store" means at the processor s plant or warehouse but with any prepaid storage and outhandling charges for the benefit of the buyer	See footnotes at end of table.	Turpeneme rarmers' Association Cooperative Valdosta Ga

FEBRUARY 1955 EXPORT PRICE LIST-Continued

Commodity and approximate quantity available (subject to prior sale)	Export sales list
Corn, bulk ¹ 50,000,000 bushels.	Commercial corn producing areas 110 percent of the applicable 1954 county loan rate, f. o b. buyer's conveyance, at point of country storage 'in area of production. In cases where an eligible warehouseman purchases corn f. o. b. his warehouse that is stored in CCC bins, an amount equal to the applicable handling charge may be paid as specified in the Uniform Grain Storage Agreement. At points other than points of country storage in commercia corn producing areas, 110 percent applicable county loan rate, plus average paid-in freight f. o. b. buyer's conveyance. Corn in non-commercial corn-producing areas is available at prices comparable to the sales prices applicable in commercial area. Available Kansas City, Dallas, Chicago and Minne apolis CSS Commodity Offices.
Wheat 1	Basis in store, the market price but not less than the comestic minimum price. Minimum price; 1954 loan rate for class, grade, quality, and location, plus: (1) 36 cents per bushel if received by rail or barge. Examples of minimum price per bushel (ex rail or barge): Kansas City, No. 1, H. W., \$2.84; Minneapolis, No. 1, D. N. S., \$2.87; Chicago, No. 1, R. W.,
Barley, bulk 1	Available Dallas, Kansas City, Chicago, Minneapolis and Portland CSS Commodity Offices. 110 percent of the applicable county loan rate, f. o. b. buyer's conveyance, at point of country storage in area of production. In cases where an eligible warehouseman purchases barloy f. o. b. his warehouse that is stored in CCO bins, an amount equal to the applicable handling charge may be paid as specified in the Uniform Grain Storage Agreement. At points other than points of country storage, 110 percent applicable loan rate, f. o. b. buyer's conveyance. Available Chicago, Dallas, Kansas City, Minneapolis, and Portland CSS Commodity Offices.
Rye, bulk: 1 (Unrestricted use)	Market price at point of production, basis in store, but not less than the applicable 1954 loan rate, plus: (1) 30 cents per bushel if received by truck, or (2) 24 cents per bushel if received by rail or barge. Example of minimum price per bushel (ex rail or barge): Minneapolis No. 2 or better, \$1.88.
(For feed only)	Market price for feed only, basis in store. Available Minneapolis, Kansas City, Chicago, Portland, and Dallas CSS
Oats, bulk ¹	point of country storage 4 in area of production. In cases where an eligible warehouseman purchases oats 1. o. b. his warehouse, that is stored in CCC bins, an amount equal to the applicable handling charge may be paid as specified in the Uniform Grain Storage Agreement. At points other than points of country storage 110 percent applicable county loan rate plus average paid-in freight f. o. b. buyer's conveyance. Available Minneapolis, Chicago, Dallas, Portland, and Kansas City CSS Commodity Offices. 110 percent of the applicable county loan rate, f. o. b. buyer's conveyance, at point of country storage 4 in area of production. In cases where an eligible warehouseman purchases grain sorghums, f. o. b. his warehouse, that is stored in CCC bins, an amount equal to the applicable landling charge may be paid as specified in the Uniform Grain Storage Agreement. At points other than points of country storage 110 percent of the applicable loan rate, f. o. b. buyer's conveyance. Available Dallas, Kansas City, and Portland CSS
Flaxseed, bulk (for crushing only). Hay and pasture seeds (bagged)	Commodity Offices. On LCL lots, market price on date of sale, basis in store. On all other storable lots market price but not less than the 1954 support price. No sales will be made at a lower price during the period ending July 31, 1955. Available Minneapolis and Chicago CSS Commodity Offices. All sales are f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Premiums and discounts may be
Ladino clover seed (certified), 101,000 hundredweight. Birdsfoot trefoil seed, 906 hundredweight. Alfalfa seed northern, 49,500 hundredweight. Alfalfa seed (certified), Ladak, 2,500 hundredweight; Grimm, 200 hundredweight; Buffalo, 21,000 hundredweight. Tall fescue seed (common), 43,000 hundredweight.	obtained from the Commodity offices for qualities above or below basic specifications. On all seeds except Ladino: Offers will not be accepted for less than warehouse receipt lot or minimum weight carlot as prescribed by railroad carrier's regulation at point of storage. \$55 per 100 pounds. Available Portland and Kansas City CSS Commodity Offices. \$70 per 100 pounds. Available Portland CSS Commodity Office. \$35 per 100 pounds. Available Portland CSS Commodity Office. \$40 per 100 pounds. Ladak available at Portland and Kansas City; Grimm and Buffalo at Portland CSS Commodity Offices. \$20 per 100 pounds. Available Portland, Kansas City, Dallas, and Chicago

 \$20 per 100 pounds. Available Portland, Kansas City, Delias, and Chicago CSS Commodity Offices.
 \$22 per 100 pounds. Available Portland, Kansas City, Dallas, Chicago, and Minneapolis CSS Commodity Offices.
 All sales are f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Prices are for basic specification.
 \$18 per 100 pounds. Available Portland CSS Commodity Office. Tall fescue seed (certified), 88,000 hundredweight. Winter cover crop seeds (bagged). (lagged).

Crimson clover seed, 2,800 hundredweight.

Hairy vetch seed, 264,000 hundredweight.

1953 county support rate, ranging from \$11.65 to \$12.40 plus \$1 per 100 pounds. Available Portland CSS Commodity Office.

¹These same lots also are available at export sales prices announced today. Where no quantity is specified, quantity available is indefinite.

²"In store" means at the processor's plant or warehouse but with any prepaid storage and outlandling charges for the benefit of the buyer.

²Prices for basic specifications will not be reduced during the period ending June 30, 1955.

4 Country storage will be interpreted to mean grain in CCC bins and at local warehouses in the area where grown, and on which no inbound freight has been paid.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U. S. C. 1427, sec. 208, 63 Stat. 901)

Issued: February 8, 1955.

EARL M. HUGHES, Executive Vice President, Commodity Credit Corporation.

[F R. Doc. 55-1272; Filed, Feb. 11, 1955; 8:52 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 30230]

DIETHYLENE GLYCOL AND ETHYLENE GLY-COL FROM ORANGE, TEX., TO CHICAGO, Tr.r..

APPLICATION FOR RELIEF

FEBRUARY 9, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below.

Commodities involved. Ethylene glycol and diethylene glycol, in tank-car loads.

From: Orange, Tex.

To: Chicago, Ill., and points in Chicago switching district.

Grounds for relief: Rail competition, competition with water carriers, additional commodity and also additional points in Chicago district.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 4064, supp. 55.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission. in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Secretary.

[F R. Doc. 55-1262; Filed, Feb. 11, 1955; 8:50 a. m.]

14th Sec. Application 302311

ACETIC ACID AND ANHYDRIDE FROM TEXAS AND ARKANSAS TO KANKAKEE, ILL., AND HATTIESBURG, MISS.

APPLICATION FOR RELIEF

FEBRUARY 9, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedules listed below. Commodities involved: Acetic acid, glacial or liquid, and acetic anhydride, carloads.

From. Bishop, Brownsville, Houston, Texas City, Texas, and Crossett, Ark.

To: Kankakee, Ill., and Hattiesburg, Miss.

Grounds for relief Rail competition, market competition, to apply rates constructed on the basis of the short line distance formula, and additional destinations.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 3967, supp. 435 F C. Kratzmeir, Agent, I. C. C. No. 3908, supp. 225.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

George W Laird, Secretary.

[F R. Doc. 55-1263; Filed, Feb. 11, 1955; 8:50 a. m.]

[4th Sec. Application 30232]

GRAIN FROM KANSAS CITY, Mo.-KANS., TO GULF PORTS

APPLICATION FOR RELIEF

FEBRUARY 9, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Grain and grain products, carloads.

From. Kansas City Mo.-Kans. (when originating at Corona, Kans.)

To. Gulf ports, for export.

Grounds for relief: Competition with rail carriers, and circuitous routes.

Schedules filed containing proposed rates: AT&SF Tariff, I. C. C. 14557, supplement 21, CRI&P Tariff, I. C. C. C-13346, supplement 50 KCS Tariff, I. C. C. 5303, supplement 18; M-K-T Tariff, I. C. C. 1470, supplement 59 Mo. Pac. Tariff, I. C. C. 10223, supplement 26; StI-SF Tariff, I. C. C. A-478, supplement 11.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the

application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission,

[SEAL]

GEORGE W LAIRD, Secretary.

[F R. Doc. 55-1264; Filed, Feb. 11, 1955; 8:50 a. m.]

[4th Sec. Application 30233]

Paper Bags From Jaite and Toledo, Ohio, to Louisiana

APPLICATION FOR RELIEF

FEBRUARY 9, 1955.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to Agent H. R. Hinsch's tariff I. C. C. No. 4367, pursuant to fourth-section order No. 16101.

Commodities involved: Bags, paper, in straight carloads or in mixed carloads with closing materials.

From. Jaite and Toledo, Ohio.

To: Baton Rouge, Gramercy New Orleans and Reserve, La.

Grounds for relief: Rail competition, circuity and operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission. in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W LAIRD, Secretary.

[F R. Doc. 55-1265; Filed, Feb. 11, 1955; 8:50 a. m.]

[4th Sec. Application 30234]

LUMBER FROM THE SOUTHWEST TO OKLAHOMA

APPLICATION FOR RELIEF

FEBRUARY 9, 1955.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by F C. Kratzmeir, Agent, for carriers parties to schedule listed below.
Commodities involved. Lumber and related articles, carloads.

From. Points in Arkansas, Louisiana, Missouri, Oklahoma, and Texas.

To: Points in Oklahoma on the Okmulgee Northern Railway

Grounds for relief: Rail competition, circuity to apply rates constructed on the basis of the short line distance formula, and additional destinations.

Schedules filed containing proposed rates: F C. Kratzmeir, Agent, I. C. C. No. 3850, supp. 64.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

George W Laird, Secretary.

[F R. Doc. 55-1266; Filed, Feb. 11, 1955; 8:51 a. m.]

POST OFFICE DEPARTMENT

EXECUTIVE DIRECTOR, BUREAU OF PERSONNEL

REDELEGATION OF AUTHORITY WITH RESPECT TO TRAVEL ORDERS

The following is an excerpt from Order No. 49 of the Assistant Postmaster General, Bureau of Personnel, dated November 16, 1954, relative to above subject:

Pursuant to Postmaster General Order No. 55753 dated October 19, 1954 (19 F R. 7510), the authority vested in the Assistant Postmaster General, Personnel, is herewith redelegated to the Executive Director, Bureau of Personnel to:

(3) Issue temporary travel credentials necessary for officers and employees under his supervision to obtain free transportation on railroad lines in the performance of their official duties. The travel credentials shall be in such form as may be prescribed by the Postmaster General, to be used in any bureau of the Department to which this delegation of authority may be granted.

(R. S. 161, 396; secs. 304, 309, 42 Stat. 24, 25, sec. 1 (b), 63 Stat. 1066; 5 U. S. C. 22, 133z-15, 369)

[SEAL] ABE McGregor Goff
The Solicitor

[F R. Doc. 55-1250; Filed, Feb. 11, 1955; 8:47 a. m.]